

APPEAL,CLOSED,STAYED,TYPE-L

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:13-cv-00734-RBW
Internal Use Only

TRUE THE VOTE, INC. v. INTERNAL REVENUE SERVICE Date Filed: 05/21/2013
et al Date Terminated: 10/23/2014
Assigned to: Judge Reggie B. Walton Jury Demand: None
Demand: \$85,000 Nature of Suit: 440 Civil Rights: Other
Case: 1:13-cv-00777-RBW Jurisdiction: U.S. Government Defendant
Case in other court: USCA, 14-05316
Cause: 26:7428 IRS: Declaratory Judgment

Non-Party Petitioner

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Date Filed	#	Docket Text
05/21/2013	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0090-3332389) filed by TRUE THE VOTE, INC.. (Attachments: # <u>1</u> Exhibit A: Timeline, # <u>2</u> Exhibit B: Form 1023 & Attach, # <u>3</u> Exhibit C: Request for Information 1, # <u>4</u> Exhibit D: Request for Information 2, # <u>5</u> Exhibit E: Request for Information 3, # <u>6</u> Exhibit F: TIGTA Report, # <u>7</u> Civil Cover Sheet, # <u>8</u> Summons Douglas H. Shulman, # <u>9</u> Summons Internal Revenue Service, # <u>10</u> Summons Janine L Estes, # <u>11</u> Summons Lois Lerner, # <u>12</u> Summons Steven T. Miller, # <u>13</u> Summons Susan Maloney, # <u>14</u> Summons USA, # <u>15</u> Summons Unknown Named Employees of the IRS, # <u>16</u> Summons US Attorney)(Mitchell, Cleta) (Entered: 05/21/2013)
05/21/2013	<u>2</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- John C. Eastman, :Firm- Claremont Institute's Center for Constitutional Jurisprudence, :Address- c/o Chapman University School of Law, One University Drive, Orange, CA 92866. Phone No. - 877-855-3330 X2. by TRUE THE VOTE, INC. (Mitchell, Cleta) (Entered: 05/21/2013)
05/21/2013	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Kaylan L. Phillips, :Firm- ActRight Legal Foundation, :Address- 209 W. Main Street, Plainfield, IN 46168. Phone No. - 317-203-5599. by TRUE THE VOTE, INC. (Mitchell, Cleta) (Entered: 05/21/2013)
05/21/2013	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Noel H. Johnson, :Firm- ActRight Legal Foundation, :Address- 209 W. Main Street, Plainfield, IN 46168. Phone No. - 317-203-5599. by TRUE THE VOTE, INC. (Mitchell, Cleta) (Entered: 05/21/2013)
05/21/2013	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Zachary S. Kester, :Firm- ActRight Legal Foundation, :Address- 209 W. Main Street, Plainfield, IN 46168. Phone No. - 317-203-5599. by TRUE THE VOTE, INC. (Mitchell, Cleta) (Entered: 05/21/2013)
05/21/2013		Case Assigned to Judge Reggie B. Walton. (sth) (Entered: 05/21/2013)
05/21/2013		

		SUMMONS Not Issued as to RONALD BELL, FAYE NG, UNKNOWN NAMED EMPLOYEES OF INTERNAL REVENUE SERVICE (sth) (Entered: 05/21/2013)
05/21/2013	<u>6</u>	ELECTRONIC SUMMONS (8) Issued as to JANINE L. ESTES, INTERNAL REVENUE SERVICE, LOIS LERNER, SUSAN MALONEY, STEVEN T. MILLER, DOUGLAS H. SHULMAN, UNITED STATES OF AMERICA, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons, # <u>7</u> Summons, # <u>8</u> Summons)(sth) Modified on 5/23/2013 o add seal to 6-4 (rdj). (Entered: 05/21/2013)
05/21/2013	<u>7</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by TRUE THE VOTE, INC. (Mitchell, Cleta) (Entered: 05/21/2013)
05/22/2013		MINUTE ORDER granting <u>2</u> Motion for Leave to Appear Pro Hac Vice; granting <u>3</u> Motion for Leave to Appear Pro Hac Vice; granting <u>4</u> Motion for Leave to Appear Pro Hac Vice; granting <u>5</u> Motion for Leave to Appear Pro Hac Vice. Upon consideration of the motions for leave to appear pro hac vice by John C. Eastman, Kaylan L. Phillips, Noel H. Johnson, and Zachary S. Kester, and finding good cause to grant the motions, the motions are hereby GRANTED. John C. Eastman, Kaylan L. Phillips, Noel H. Johnson, and Zachary S. Kester may appear and be heard in the above-captioned matter. Signed by Judge Reggie B. Walton on 5/22/2013. (lcrbw2) (Entered: 05/22/2013)
05/22/2013	<u>8</u>	NOTICE <i>Summons In A Civil Action for Faye Ng</i> by TRUE THE VOTE, INC. re <u>1</u> Complaint,, (Mitchell, Cleta) (Entered: 05/22/2013)
05/23/2013	<u>9</u>	REQUEST FOR SUMMONS TO ISSUE <i>Ronald Bell</i> by TRUE THE VOTE, INC. re <u>1</u> Complaint,, filed by TRUE THE VOTE, INC.. Related document: <u>1</u> Complaint,, filed by TRUE THE VOTE, INC..(Mitchell, Cleta) (Entered: 05/23/2013)
05/23/2013	<u>10</u>	Electronic Summons (1) Issued as to FAYE NG., ELECTRONIC SUMMONS (1) REISSUED as to RONALD BELL (Attachments: # <u>1</u> summons)(td,) (Entered: 05/23/2013)
06/20/2013	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 05/28/2013., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/22/2013. (Answer due for ALL FEDERAL DEFENDANTS by 7/21/2013.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. RONALD BELL served on 6/5/2013, answer due 6/26/2013; JANINE L. ESTES served on 5/29/2013, answer due 6/19/2013; INTERNAL REVENUE SERVICE served on 5/28/2013, answer due 6/18/2013; LOIS LERNER served on 5/24/2013, answer due 6/14/2013; SUSAN MALONEY served on 5/23/2013, answer due 6/13/2013; STEVEN T. MILLER served on 5/22/2013, answer due 6/12/2013; FAYE NG served on 5/29/2013, answer due 6/19/2013; DOUGLAS H. SHULMAN served on 5/23/2013, answer due 6/13/2013; UNITED STATES OF AMERICA served on 5/28/2013, answer due 6/18/2013, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. RONALD BELL served on 6/5/2013, answer due 6/26/2013; JANINE L. ESTES served on 5/29/2013, answer due 6/19/2013; INTERNAL REVENUE SERVICE served on 5/28/2013, answer due 6/18/2013; LOIS LERNER served on 5/24/2013, answer due 6/14/2013; SUSAN MALONEY served on 5/23/2013, answer due 6/13/2013; STEVEN T. MILLER served on 5/22/2013, answer due 6/12/2013; FAYE NG served on 5/29/2013, answer due

		6/19/2013; DOUGLAS H. SHULMAN served on 5/23/2013, answer due 6/13/2013; UNITED STATES OF AMERICA served on 5/28/2013, answer due 6/18/2013 (Phillips, Kaylan) (Entered: 06/20/2013)
07/16/2013	<u>12</u>	MOTION for Extension of Time to File Answer re <u>1</u> Complaint, <i>Motion and Memorandum of Law for Extension of Time to Respond to Complaint</i> by UNITED STATES OF AMERICA (Attachments: # <u>1</u> Exhibit A – Belen Declaration, # <u>2</u> Exhibit B – Kane Declaration, # <u>3</u> Text of Proposed Order)(Hartt, Grover) (Entered: 07/16/2013)
07/17/2013	<u>13</u>	NOTICE of Appearance by Joseph A. Sergi on behalf of INTERNAL REVENUE SERVICE, STEVEN T. MILLER, UNITED STATES OF AMERICA (Sergi, Joseph) (Entered: 07/17/2013)
07/22/2013	<u>14</u>	First AMENDED COMPLAINT against RONALD BELL, JANINE L. ESTES, INTERNAL REVENUE SERVICE, LOIS LERNER, SUSAN MALONEY, STEVEN T. MILLER, FAYE NG, DOUGLAS H. SHULMAN, UNITED STATES OF AMERICA, UNKNOWN NAMED EMPLOYEES OF INTERNAL REVENUE SERVICE, DANIEL WERFEL, WILLIAM WILKINS, HOLLY PAZ, CINDY M. THOMAS, STEVEN GRODNITZKY, DAVID FISH, MICHAEL SETO filed by TRUE THE VOTE, INC.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Certificate of Service, # <u>10</u> Summons FISH, # <u>11</u> Summons GRODNITZKY, # <u>12</u> Summons PAZ, # <u>13</u> Summons SETO, # <u>14</u> Summons THOMAS, # <u>15</u> Summons WILKINS)(Mitchell, Cleta) Modified text to add first on 7/23/2013 (td,). (Entered: 07/22/2013)
07/23/2013	<u>15</u>	REQUEST FOR SUMMONS TO ISSUE <i>Ronald Bell, In His Official Capacity</i> by TRUE THE VOTE, INC. re <u>14</u> Amended Complaint,,, filed by TRUE THE VOTE, INC.. Related document: <u>14</u> Amended Complaint,,, filed by TRUE THE VOTE, INC..(Mitchell, Cleta) (Entered: 07/23/2013)
07/23/2013	<u>16</u>	REQUEST FOR SUMMONS TO ISSUE <i>JANINE L. ESTES, In Her Official Capacity</i> by TRUE THE VOTE, INC. re <u>14</u> Amended Complaint,,, filed by TRUE THE VOTE, INC.. Related document: <u>14</u> Amended Complaint,,, filed by TRUE THE VOTE, INC..(Mitchell, Cleta) (Entered: 07/23/2013)
07/23/2013	<u>17</u>	REQUEST FOR SUMMONS TO ISSUE <i>LOIS LERNER, In Her Official Capacity</i> by TRUE THE VOTE, INC. re <u>14</u> Amended Complaint,,, filed by TRUE THE VOTE, INC.. Related document: <u>14</u> Amended Complaint,,, filed by TRUE THE VOTE, INC..(Mitchell, Cleta) (Entered: 07/23/2013)
07/23/2013	<u>18</u>	REQUEST FOR SUMMONS TO ISSUE <i>SUSAN MALONEY, In Her Official Capacity</i> by TRUE THE VOTE, INC. re <u>14</u> Amended Complaint,,, filed by TRUE THE VOTE, INC.. Related document: <u>14</u> Amended Complaint,,, filed by TRUE THE VOTE, INC..(Mitchell, Cleta) (Entered: 07/23/2013)
07/23/2013	<u>19</u>	REQUEST FOR SUMMONS TO ISSUE <i>STEVEN T. MILLER, In His Official Capacity</i> by TRUE THE VOTE, INC. re <u>14</u> Amended Complaint,,, filed by TRUE THE VOTE, INC.. Related document: <u>14</u> Amended Complaint,,, filed by TRUE THE VOTE, INC..(Mitchell, Cleta) (Entered: 07/23/2013)
07/23/2013	<u>20</u>	REQUEST FOR SUMMONS TO ISSUE <i>FAYE NG, In Her Official Capacity</i> by TRUE THE VOTE, INC. re <u>14</u> Amended Complaint,,, filed by TRUE THE VOTE, INC.. Related document: <u>14</u> Amended Complaint,,, filed by TRUE THE VOTE,

		INC..(Mitchell, Cleta) (Entered: 07/23/2013)
07/23/2013	<u>21</u>	REQUEST FOR SUMMONS TO ISSUE <i>DOUGLAS H. SHULMAN, In His Official Capacity</i> by TRUE THE VOTE, INC. re <u>14</u> Amended Complaint,,, filed by TRUE THE VOTE, INC.. Related document: <u>14</u> Amended Complaint,,, filed by TRUE THE VOTE, INC..(Mitchell, Cleta) (Entered: 07/23/2013)
07/23/2013	<u>22</u>	REQUEST FOR SUMMONS TO ISSUE <i>UNKNOWN NAMED EMPLOYEES OF THE INTERNAL REVENUE SERVICE, In Their Official Capacities</i> by TRUE THE VOTE, INC. re <u>14</u> Amended Complaint,,, filed by TRUE THE VOTE, INC.. Related document: <u>14</u> Amended Complaint,,, filed by TRUE THE VOTE, INC..(Mitchell, Cleta) (Entered: 07/23/2013)
07/23/2013		MINUTE ORDER terminating <u>12</u> Motion for Extension of Time to Answer. In light of the fact that the plaintiff has filed an amended complaint, it is ORDERED that the motion for extension of time to answer or otherwise respond to the plaintiff's original complaint is TERMINATED AS MOOT. Signed by Judge Reggie B. Walton on 7/23/2013. (lcrbw2) (Entered: 07/23/2013)
07/24/2013		NOTICE OF ERROR re <u>22</u> Request for Summons to Issue; emailed to cmitchell@foley.com, cc'd 12 associated attorneys -- The PDF file you docketed contained errors: 1. Can not issue summonses to unknown parties. (td,) (Entered: 07/24/2013)
07/24/2013	<u>23</u>	Electronic Summons (7) Issued, in official capacities, as to RONALD BELL, JANINE L. ESTES, LOIS LERNER, SUSAN MALONEY, STEVEN T. MILLER, FAYE NG, DOUGLAS H. SHULMAN. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons)(td,) Modified text on 7/24/2013 (td,). (Entered: 07/24/2013)
07/24/2013	<u>24</u>	Electronic Summons (6) Issued as to DAVID FISH, STEVEN GRODNITZKY, HOLLY PAZ, MICHAEL SETO, CINDY M. THOMAS, WILLIAM WILKINS. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons)(td,) (Entered: 07/24/2013)
08/02/2013	<u>25</u>	MOTION for Extension of Time to File Answer re <u>14</u> Amended Complaint,,, <i>Renewed Motion and Memorandum of Law for Extension of Time to Respond to First Amended Complaint</i> by UNITED STATES OF AMERICA (Attachments: # <u>1</u> Exhibit A – Second Declaration of Christopher D. Belen, # <u>2</u> Exhibit B – Declaration of Thomas J. Kane, # <u>3</u> Text of Proposed Order)(Hartt, Grover) (Entered: 08/02/2013)
08/05/2013	<u>26</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Michael J. Lockerby, :Firm– Foley & Lardner LLP, :Address– 3000 K Street, N.W., Suite 600, Washington, D.C. 20007. Phone No. – 202–045–6079. Fax No. – 202–672–5399 by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Affidavit (Affidavit of Michael J. Lockerby), # <u>2</u> Certificate of Service)(Mitchell, Cleta) (Entered: 08/05/2013)
08/13/2013	<u>27</u>	REQUEST FOR SUMMONS TO ISSUE <i>for Defendant David Fish in His Official Capacity</i> by TRUE THE VOTE, INC. filed by TRUE THE VOTE, INC..(Phillips, Kaylan) (Entered: 08/13/2013)
08/13/2013	<u>28</u>	REQUEST FOR SUMMONS TO ISSUE <i>for Defendant Steven Grodnitzky in His Official Capacity</i> by TRUE THE VOTE, INC. filed by TRUE THE VOTE, INC..(Phillips, Kaylan) (Entered: 08/13/2013)
08/13/2013	<u>29</u>	

		REQUEST FOR SUMMONS TO ISSUE <i>for Defendant Holly Paz in Her Official Capacity</i> by TRUE THE VOTE, INC. filed by TRUE THE VOTE, INC..(Phillips, Kaylan) (Entered: 08/13/2013)
08/13/2013	<u>30</u>	REQUEST FOR SUMMONS TO ISSUE <i>for Defendant Michael C. Seto in His Official Capacity</i> by TRUE THE VOTE, INC. filed by TRUE THE VOTE, INC..(Phillips, Kaylan) (Entered: 08/13/2013)
08/13/2013	<u>31</u>	REQUEST FOR SUMMONS TO ISSUE <i>for Defendant Cindy M. Thomas in Her Official Capacity</i> by TRUE THE VOTE, INC. filed by TRUE THE VOTE, INC..(Phillips, Kaylan) (Entered: 08/13/2013)
08/13/2013	<u>32</u>	REQUEST FOR SUMMONS TO ISSUE <i>for Defendant William Wilkins in His Official Capacity</i> by TRUE THE VOTE, INC. filed by TRUE THE VOTE, INC..(Phillips, Kaylan) (Entered: 08/13/2013)
08/13/2013	<u>33</u>	REQUEST FOR SUMMONS TO ISSUE <i>for Defendant Daniel Werfel in His Official Capacity</i> by TRUE THE VOTE, INC. filed by TRUE THE VOTE, INC..(Phillips, Kaylan) (Entered: 08/13/2013)
08/14/2013	<u>34</u>	Electronic Summons Issued as to CINDY M. THOMAS, in her official capacity. (td,) (Entered: 08/14/2013)
08/14/2013	<u>35</u>	Electronic Summons Issued as to DAVID FISH, in his official capacity. (td,) (Entered: 08/14/2013)
08/14/2013	<u>36</u>	Electronic Summons Issued as to STEVEN GRODNITZKY, in his official capacity. (td,) (Entered: 08/14/2013)
08/14/2013	<u>37</u>	Electronic Summons Issued as to HOLLY PAZ, in her official capacity. (td,) (Entered: 08/14/2013)
08/14/2013	<u>38</u>	Electronic Summons Issued as to MICHAEL SETO, in his official capacity. (td,) (Entered: 08/14/2013)
08/14/2013	<u>39</u>	Electronic Summons Issued as to WILLIAM WILKINS, in his official capacity. (td,) (Entered: 08/14/2013)
08/14/2013	<u>40</u>	Electronic Summons Issued as to DANIEL WERFEL, in his official capacity. (td,) (Entered: 08/14/2013)
08/15/2013	<u>41</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DAVID FISH served on 7/25/2013; STEVEN GRODNITZKY served on 7/29/2013; HOLLY PAZ served on 7/29/2013; MICHAEL SETO served on 7/25/2013; DANIEL WERFEL served on 8/14/2013, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DAVID FISH served on 7/25/2013; STEVEN GRODNITZKY served on 7/29/2013; HOLLY PAZ served on 7/29/2013; MICHAEL SETO served on 7/25/2013; DANIEL WERFEL served on 8/14/2013 (Phillips, Kaylan) (Entered: 08/15/2013)
08/16/2013	<u>42</u>	RESPONSE re <u>25</u> MOTION for Extension of Time to File Answer re <u>14</u> Amended Complaint,,, <i>Renewed Motion and Memorandum of Law for Extension of Time to Respond to First Amended Complaint</i> filed by TRUE THE VOTE, INC.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Mitchell, Cleta) (Entered: 08/16/2013)
08/27/2013	<u>43</u>	NOTICE <i>Suggestion of Incapacity of David Fish</i> by UNITED STATES OF AMERICA (Hartt, Grover) (Entered: 08/27/2013)

08/28/2013	<u>44</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Matthew D. Gutierrez, :Firm- Foley & Lardner LLP, :Address- One Biscayne Tower, 2 South Biscayne Boulevard, Ste. 1900, Miami, FL 33131. Phone No. - 305-482-8417. Fax No. - 305-482-8600 by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Declaration, # <u>2</u> Certificate of Service)(Mitchell, Cleta) (Entered: 08/28/2013)
08/28/2013	<u>45</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- William E. Davis, :Firm- Foley & Lardner LLP, :Address- One Biscayne Tower, 2 South Biscayne Boulevard, Suite 1900, Miami, FL 33131. Phone No. - 305-482-8404. Fax No. - 305-482-8600 by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Declaration, # <u>2</u> Certificate of Service)(Mitchell, Cleta) (Entered: 08/28/2013)
08/29/2013		MINUTE ORDER granting <u>25</u> Motion for Extension of Time to Answer. For good cause shown, it is ORDERED that the motion for an extension of time is GRANTED nunc pro tunc to August 5, 2013. The defendants shall answer or otherwise respond to the plaintiff's amended complaint on or before September 20, 2013. Signed by Judge Reggie B. Walton on 8/29/2013. (lcrbw2) (Entered: 08/29/2013)
08/29/2013		MINUTE ORDER denying <u>26</u> Motion for Leave to Appear Pro Hac Vice. It appearing to the Court from the motion that attorney Michael J. Lockerby is "[a]n attorney who engages in the practice of law from an office located in the District of Columbia" and is thus ineligible for admission pro hac vice under this Court's Local Rules, see Local Civ. R. 83.2(c)(2), it is ORDERED that the motion is DENIED. Signed by Judge Reggie B. Walton on 8/29/2013. (lcrbw2) (Entered: 08/29/2013)
08/29/2013		MINUTE ORDER granting <u>44</u> Motion for Leave to Appear Pro Hac Vice; granting <u>45</u> Motion for Leave to Appear Pro Hac Vice. For good cause shown, it is ORDERED that the motions are GRANTED. Attorneys Mathew D. Gutierrez and William E. Davis may appear and be heard in the above captioned action. Signed by Judge Reggie B. Walton on 8/29/2013. (lcrbw2) (Entered: 08/29/2013)
08/30/2013		Set/Reset Deadline: The defendants shall answer or otherwise respond to the plaintiff's amended complaint on or before 9/20/2013. (ad) (Entered: 08/30/2013)
09/05/2013		MINUTE ORDER. In light of the representations made to the Court in the United States' Suggestion of Incapacity of David Fish (see ECF no. <u>43</u>), it is ORDERED that the parties shall appear before the Court for a status hearing concerning the matters addressed in the Suggestion of Incapacity at a date and time to be determined by the Clerk. Signed by Judge Reggie B. Walton on 9/5/2013. (lcrbw2) (Entered: 09/05/2013)
09/10/2013		Set/Reset Hearings: Status Conference set for 9/26/2013 10:15 AM in Courtroom 16 before Judge Reggie B. Walton. (mpt,) (Entered: 09/10/2013)
09/10/2013	<u>46</u>	NOTICE of Appearance by Jeffrey A. Lamken on behalf of RONALD BELL, JANINE L. ESTES, SUSAN MALONEY, FAYE NG (Lamken, Jeffrey) (Entered: 09/10/2013)
09/10/2013	<u>47</u>	NOTICE of Appearance by Justin V Shur on behalf of RONALD BELL, JANINE L. ESTES, SUSAN MALONEY, FAYE NG (Shur, Justin) (Entered: 09/10/2013)
09/10/2013	<u>48</u>	MOTION for Extension of Time to <i>Respond to Plaintiff's First Amended Complaint</i> by RONALD BELL, JANINE L. ESTES, STEVEN GRODNITZKY, LOIS LERNER, SUSAN MALONEY, STEVEN T. MILLER, FAYE NG, HOLLY PAZ, MICHAEL SETO, DOUGLAS H. SHULMAN, CINDY M. THOMAS, WILLIAM

		WILKINS (Shur, Justin) (Entered: 09/10/2013)
09/11/2013	<u>49</u>	NOTICE of Appearance by Brigida Benitez on behalf of STEVEN GRODNITZKY, LOIS LERNER, STEVEN T. MILLER, HOLLY PAZ, MICHAEL SETO, DOUGLAS H. SHULMAN, CINDY M. THOMAS, WILLIAM WILKINS (Benitez, Brigida) (Entered: 09/11/2013)
09/18/2013	<u>50</u>	ENTERED IN ERROR.RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. CINDY M. THOMAS served on 8/19/2013, answer due 9/9/2013; WILLIAM WILKINS served on 8/10/2013, answer due 8/31/2013 (Phillips, Kaylan) Modified on 9/19/2013 (td,). (Entered: 09/18/2013)
09/18/2013	<u>51</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 08/27/2013. (Phillips, Kaylan) (Entered: 09/18/2013)
09/18/2013	<u>52</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 9/12/2013. Answer due for ALL FEDERAL DEFENDANTS by 11/11/2013. (Phillips, Kaylan) (Entered: 09/18/2013)
09/18/2013	<u>53</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to CINDY M. THOMAS served on 8/19/2013; WILLIAM WILKINS served on 8/10/2013. (td,) (Entered: 09/19/2013)
09/19/2013		NOTICE OF CORRECTED DOCKET ENTRY: <u>50</u> was entered in error and refiled as docket entry no. <u>53</u> .(td,) (Entered: 09/19/2013)
09/20/2013	<u>54</u>	MOTION to Dismiss <i>Motion to Dismiss Counts I, II, IV and V and Statement of Points and Authorities</i> by UNITED STATES OF AMERICA (Attachments: # <u>1</u> Text of Proposed Order)(Hartt, Grover) (Entered: 09/20/2013)
09/23/2013	<u>55</u>	ENTERED IN ERROR.RESPONSE re <u>48</u> MOTION for Extension of Time to <i>Respond to Plaintiff's First Amended Complaint</i> filed by TRUE THE VOTE, INC.. (Johnson, Noel) Modified on 9/24/2013 (td,). (Entered: 09/23/2013)
09/24/2013		NOTICE OF ERROR re <u>55</u> Response to motion; emailed to njohnson@actrightlegal.org, cc'd 29 associated attorneys — The PDF file you docketed contained errors: 1. Invalid attorney signature, 2. Please refile document, 3. The filing attorney and the signing attorney should be the same. (td,) (Entered: 09/24/2013)
09/24/2013	<u>56</u>	RESPONSE re <u>48</u> MOTION for Extension of Time to <i>Respond to Plaintiff's First Amended Complaint</i> filed by TRUE THE VOTE, INC.. (Mitchell, Cleta) (Entered: 09/24/2013)
09/25/2013		MINUTE ORDER granting <u>48</u> Motion for Extension of Time. Upon consideration of the Motion and Memorandum of Law for an Extension of Time for the Individual Defendants to Respond to Plaintiff's First Amended Complaint, and for good cause shown, it is ORDERED that the motion is GRANTED. The individual defendants shall answer or otherwise respond to the first amended complaint on or before October 18, 2013. Signed by Judge Reggie B. Walton on 9/25/2013. (lcrbw2) (Entered: 09/25/2013)
09/25/2013	<u>57</u>	NOTICE of Appearance by Christopher David Belen on behalf of INTERNAL REVENUE SERVICE, UNITED STATES OF AMERICA (Attachments: # <u>1</u> LCvR

		83.2(j) Attorney Certification)(Belen, Christopher) (Entered: 09/25/2013)
09/26/2013	<u>58</u>	ORDER. For the reasons stated in the attached Order, it is hereby ORDERED that the matters of Mr. Fish's legal representation and the appointment of a guardian ad litem for Mr. Fish are HELD IN ABEYANCE until further order of the Court. Signed by Judge Reggie B. Walton on 9/26/2013. (lcrbw2) (Entered: 09/26/2013)
09/26/2013	<u>59</u>	SUPPLEMENT to <u>54</u> MOTION to Dismiss <i>Motion to Dismiss Counts I, II, IV and V and Statement of Points and Authorities</i> by INTERNAL REVENUE SERVICE (Hartt, Grover) Modified title on 9/30/2014 (tg,). (Entered: 09/26/2013)
09/26/2013		Minute Entry for proceedings held before Judge Reggie B. Walton: Status Conference held on 9/26/2013. (Court Reporter Cathryn Jones.) (mpt,) (Entered: 09/27/2013)
09/27/2013	<u>60</u>	Notice to Clarify <i>TRUE THE VOTE'S CLARIFICATION OF ITS RESPONSE TO THE INDIVIDUAL IRS DEFENDANTS' MOTION FOR AN EXTENSION OF TIME TO OCTOBER 18, 2013</i> by TRUE THE VOTE, INC. (Mitchell, Cleta) Modified to read "Notice" per chambers on 9/30/2013 (td,). (Entered: 09/27/2013)
09/30/2013	<u>61</u>	Joint MOTION for Briefing Schedule <i>on Motions to Dismiss</i> by TRUE THE VOTE, INC. (Mitchell, Cleta) (Entered: 09/30/2013)
10/02/2013	<u>62</u>	Consent MOTION for Extension of Time to File Response/Reply as to <u>54</u> MOTION to Dismiss <i>Motion to Dismiss Counts I, II, IV and V and Statement of Points and Authorities</i> by TRUE THE VOTE, INC. (Mitchell, Cleta) (Entered: 10/02/2013)
10/03/2013		MINUTE ORDER granting <u>61</u> Motion for Briefing Schedule; granting <u>62</u> Motion for Extension of Time to File Response/Reply. For good cause shown, and in light of the parties' consent, the motions are GRANTED. The plaintiff's response(s) to motion(s) to dismiss filed by any/all defendant(s) shall be filed on or before November 15, 2013, and the defendants' reply briefs to the plaintiff's response(s) to motion(s) to dismiss shall be filed on or before December 17, 2013. Signed by Judge Reggie B. Walton on 10/3/2013. (lcrbw2) (Entered: 10/03/2013)
10/04/2013		Set/Reset Deadlines: Response due by 11/15/2013; Reply due by 12/17/2013. (mpt) (Entered: 10/04/2013)
10/18/2013	<u>63</u>	MOTION to Dismiss <i>of Individual Management Defendants</i> by STEVEN GRODNITZKY, LOIS LERNER, STEVEN T. MILLER, HOLLY PAZ, MICHAEL SETO, DOUGLAS H. SHULMAN, CINDY M. THOMAS, WILLIAM WILKINS (Attachments: # <u>1</u> Text of Proposed Order)(Benitez, Brigida) (Entered: 10/18/2013)
10/18/2013	<u>64</u>	MOTION to Dismiss <i>of Cincinnati Defendants</i> by RONALD BELL, JANINE L. ESTES, SUSAN MALONEY, FAYE NG (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Lamken, Jeffrey) (Entered: 10/18/2013)
11/15/2013	<u>65</u>	Memorandum in opposition to re <u>59</u> Supplemental MOTION to Amend/Correct <u>54</u> MOTION to Dismiss <i>Motion to Dismiss Counts I, II, IV and V and Statement of Points and Authorities</i> , <u>54</u> MOTION to Dismiss <i>Motion to Dismiss Counts I, II, IV and V and Statement of Points and Authorities</i> filed by TRUE THE VOTE, INC.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order Denying Motion to Dismiss)(Mitchell, Cleta) (Entered: 11/15/2013)
11/15/2013	<u>66</u>	MOTION for Leave to File <i>Consolidated Oversized Memorandum in Opposition to Individual Defendants' Motions to Dismiss</i> by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order Granting Motion to File Consolidated

		Oversized Memo)(Mitchell, Cleta) (Additional attachment(s) added on 11/18/2013: # <u>2</u> Exhibit Opposition) (td,). (Entered: 11/15/2013)
11/15/2013	<u>67</u>	ENTERED IN ERROR. Memorandum in opposition to re <u>64</u> MOTION to Dismiss of <i>Cincinnati Defendants</i> , <u>63</u> MOTION to Dismiss of <i>Individual Management Defendants</i> filed by TRUE THE VOTE, INC.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order)(Mitchell, Cleta) Modified on 11/18/2013 (td,). (Entered: 11/15/2013)
11/16/2013	<u>68</u>	MOTION to Stay <i>Agency Action</i> by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Mitchell, Cleta) (Entered: 11/16/2013)
11/18/2013		NOTICE OF ERROR re <u>65</u> Memorandum in Opposition; emailed to cmitchell@foley.com, cc'd 31 associated attorneys -- The PDF file you docketed contained errors: 1. Leave to file not yet requested and/or granted, 2. This document will be Entered In Error and added as an exhibit to the Motion for Leave. (ztd,) (Entered: 11/18/2013)
11/20/2013	<u>69</u>	Memorandum in opposition to re <u>66</u> MOTION for Leave to File <i>Consolidated Oversized Memorandum in Opposition to Individual Defendants' Motions to Dismiss by Individual Management Defendants</i> filed by STEVEN GRODNITZKY, LOIS LERNER, STEVEN T. MILLER, HOLLY PAZ, MICHAEL SETO, DOUGLAS H. SHULMAN, CINDY M. THOMAS, WILLIAM WILKINS. (Attachments: # <u>1</u> Text of Proposed Order)(Benitez, Brigida) (Entered: 11/20/2013)
11/22/2013	<u>70</u>	REPLY to opposition to motion re <u>66</u> MOTION for Leave to File <i>Consolidated Oversized Memorandum in Opposition to Individual Defendants' Motions to Dismiss</i> filed by TRUE THE VOTE, INC.. (Mitchell, Cleta) (Entered: 11/22/2013)
11/26/2013	<u>71</u>	RESPONSE re <u>66</u> MOTION for Leave to File <i>Consolidated Oversized Memorandum in Opposition to Individual Defendants' Motions to Dismiss</i> filed by RONALD BELL, JANINE L. ESTES, SUSAN MALONEY, FAYE NG. (Lamken, Jeffrey) (Entered: 11/26/2013)
11/26/2013		MINUTE ORDER granting <u>66</u> Motion for Leave to File. Upon consideration of the plaintiff's Motion to File Oversized Memorandum in Consolidated Response to Individual Defendants' Motions to Dismiss, and the opposition thereto, and for good cause shown, it is ORDERED that the motion is GRANTED nunc pro tunc to November 15, 2013. The plaintiff's opposition to the individual defendants' motions to dismiss is deemed timely filed. The plaintiff is admonished that future requests to file oversized memoranda of law should be submitted to the Court prior to the date on which any such memoranda are due in accordance with this Court's local rules. See Local Civ. R. 7(e) ("A memorandum of points and authorities in support of or in opposition to a motion shall not exceed 45 pages and a reply memorandum shall not exceed 25 pages, without prior approval of the court."). Signed by Judge Reggie B. Walton on 11/26/2013. (lcrbw2) (Entered: 11/26/2013)
11/26/2013	<u>72</u>	Memorandum in opposition to re <u>64</u> MOTION to Dismiss of <i>Cincinnati Defendants</i> , <u>63</u> MOTION to Dismiss of <i>Individual Management Defendants</i> , <u>54</u> MOTION to Dismiss <i>Motion to Dismiss Counts I, II, IV and V and Statement of Points and Authorities</i> filed by TRUE THE VOTE, INC.. (Filed Nunc Pro Tunc to 11/15/2013, pursuant to Minute Order filed on 11/26/2013 (jf,) (Entered: 11/27/2013)
12/03/2013	<u>73</u>	RESPONSE re <u>68</u> MOTION to Stay <i>Agency Action Opposition to Plaintiff's Motion to Stay Agency Action</i> filed by UNITED STATES OF AMERICA. (Attachments: # <u>1</u>

		Exhibit 1)(Hartt, Grover) (Entered: 12/03/2013)
12/09/2013	<u>74</u>	REPLY to opposition to motion re <u>68</u> MOTION to Stay <i>Agency Action</i> filed by TRUE THE VOTE, INC.. (Mitchell, Cleta) (Entered: 12/09/2013)
12/17/2013	<u>75</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to TRUE THE VOTE, INC.. Attorney Zachary S. Kester terminated. (Kester, Zachary) (Entered: 12/17/2013)
12/17/2013	<u>76</u>	REPLY to opposition to motion re <u>63</u> MOTION to Dismiss <i>of Individual Management Defendants</i> filed by STEVEN GRODNITZKY, LOIS LERNER, STEVEN T. MILLER, HOLLY PAZ, MICHAEL SETO, DOUGLAS H. SHULMAN, CINDY M. THOMAS, WILLIAM WILKINS. (Benitez, Brigida) (Entered: 12/17/2013)
12/17/2013	<u>77</u>	REPLY to opposition to motion re <u>64</u> MOTION to Dismiss <i>of Cincinnati Defendants</i> filed by RONALD BELL, JANINE L. ESTES, SUSAN MALONEY, FAYE NG. (Lamken, Jeffrey) (Entered: 12/17/2013)
12/17/2013	<u>78</u>	REPLY to opposition to motion re <u>54</u> MOTION to Dismiss <i>Motion to Dismiss Counts I, II, IV and V and Statement of Points and Authorities Reply in Support of Motion to Dismiss Counts I, II, IV and V</i> filed by UNITED STATES OF AMERICA. (Hartt, Grover) (Entered: 12/17/2013)
01/23/2014	<u>79</u>	NOTICE of Appearance by Erica Lynne Gerson on behalf of STEVEN GRODNITZKY, LOIS LERNER, STEVEN T. MILLER, HOLLY PAZ, MICHAEL SETO, DOUGLAS H. SHULMAN, CINDY M. THOMAS, WILLIAM WILKINS (Gerson, Erica) (Entered: 01/23/2014)
06/02/2014	<u>80</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Exhibit 1)(Johnson, Noel) (Entered: 06/02/2014)
06/05/2014	<u>81</u>	REPLY re <u>80</u> NOTICE OF SUPPLEMENTAL AUTHORITY <i>Federal Defendants' Response to Plaintiff's Notice of Supplemental Authority</i> filed by UNITED STATES OF AMERICA. (Hartt, Grover) (Entered: 06/05/2014)
06/18/2014	<u>82</u>	NOTICE of Appearance by Michael J. Lockerby on behalf of All Plaintiffs (Attachments: # <u>1</u> Certificate of Service)(Lockerby, Michael) (Entered: 06/18/2014)
06/30/2014	<u>83</u>	MOTION for Discovery (<i>Plaintiff's Motion for Preliminary Injunction and Expedited Discovery to Prevent Further Spoliation of, and to Preserve and Restore, Evidence and Discoverable Information</i>) by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order Granting Plaintiff's Motion for Preliminary Injunction and Expedited Discovery to Prevent Further Spoliation of, and to Preserve and Restore, Evidence and Discoverable Information, # <u>2</u> Memorandum in Support Plaintiff's Motion for Preliminary Injunction and Expedited Discovery to Prevent Further Spoliation of, and to Preserve and Restore, Evidence and Discoverable Information, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Exhibit F, # <u>9</u> Exhibit G, # <u>10</u> Exhibit H, # <u>11</u> Exhibit I, # <u>12</u> Exhibit J, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O)(Lockerby, Michael). Added MOTION for Preliminary Injunction on 7/1/2014 (td,). (Entered: 06/30/2014)
07/01/2014		NOTICE OF ERROR re <u>83</u> Motion for Discovery; emailed to mlockerby@foley.com, cc'd 36 associated attorneys — The PDF file you docketed contained errors: 1. Do not refile. Remember to select all reliefs that pertain to your document when filing. (td,) (Entered: 07/01/2014)

07/01/2014		MINUTE ORDER. The Court having received the Plaintiff's Motion for Preliminary Injunction and Expedited Discovery (ECF No. <u>83</u>), and to ensure the prompt resolution thereof, it is hereby ORDERED that the defendants shall file their opposition to the plaintiff's motion on or before Monday, July 7, 2014, and it is further ORDERED that the parties shall appear before the Court for a hearing on the merits of the plaintiff's motion at 11:00 a.m. on Friday, July 11, 2014. Signed by Judge Reggie B. Walton on 7/1/2014. (lcrbw2) (Entered: 07/01/2014)
07/01/2014		Set/Reset Hearings: Motion Hearing set for 7/11/2014 11:00 AM in Courtroom 16 before Judge Reggie B. Walton. (mpt,) (Entered: 07/01/2014)
07/01/2014	<u>84</u>	NOTICE of Filing Exhibit K to Plaintiff's Motion for Preliminary Injunction and Expedited Discovery to Prevent Further Spoliation of, and to Preserve and Restore, Evidence and Discoverable Information by TRUE THE VOTE, INC. re <u>83</u> MOTION for Discovery (Plaintiff's Motion for Preliminary Injunction and Expedited Discovery to Prevent Further Spoliation of, and to Preserve and Restore, Evidence and Discoverable Information) MOTION for Preliminary Injunction (Attachments: # <u>1</u> Exhibit K to Plaintiff's Motion for Preliminary Injunction and Expedited Discovery to Prevent Further Spoliation of, and to Preserve and Restore, Evidence and Discoverable Information)(Lockerby, Michael) (Entered: 07/01/2014)
07/03/2014	<u>85</u>	NOTICE of Appearance by Erica Lynne Gerson on behalf of DAVID FISH (Gerson, Erica) (Entered: 07/03/2014)
07/03/2014	<u>86</u>	NOTICE of Appearance by Brigida Benitez on behalf of DAVID FISH (Benitez, Brigida) (Entered: 07/03/2014)
07/07/2014	<u>87</u>	Memorandum in opposition to re <u>83</u> MOTION for Discovery (Plaintiff's Motion for Preliminary Injunction and Expedited Discovery to Prevent Further Spoliation of, and to Preserve and Restore, Evidence and Discoverable Information) MOTION for Preliminary Injunction filed by DAVID FISH, STEVEN GRODNITZKY, LOIS LERNER, STEVEN T. MILLER, HOLLY PAZ, MICHAEL SETO, DOUGLAS H. SHULMAN, CINDY M. THOMAS, WILLIAM WILKINS. (Attachments: # <u>1</u> Exhibit 1)(Benitez, Brigida) (Entered: 07/07/2014)
07/07/2014	<u>88</u>	RESPONSE re <u>83</u> MOTION for Discovery (Plaintiff's Motion for Preliminary Injunction and Expedited Discovery to Prevent Further Spoliation of, and to Preserve and Restore, Evidence and Discoverable Information) MOTION for Preliminary Injunction United States' Response Opposing True the Vote's Motion for Preliminary Injunction and Expedited Discovery filed by UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Exhibit Gov Ex A, # <u>2</u> Exhibit Gov Ex B, # <u>3</u> Exhibit Gov Ex C, # <u>4</u> Exhibit Gov Ex D)(Sergi, Joseph) (Entered: 07/07/2014)
07/07/2014	<u>89</u>	Memorandum in opposition to re <u>83</u> MOTION for Discovery (Plaintiff's Motion for Preliminary Injunction and Expedited Discovery to Prevent Further Spoliation of, and to Preserve and Restore, Evidence and Discoverable Information) MOTION for Preliminary Injunction filed by RONALD BELL, JANINE L. ESTES, SUSAN MALONEY, FAYE NG. (Attachments: # <u>1</u> Text of Proposed Order)(Lamken, Jeffrey) (Entered: 07/07/2014)
07/08/2014	<u>90</u>	NOTICE of Appearance by Christopher Randy Egan on behalf of INTERNAL REVENUE SERVICE, UNITED STATES OF AMERICA (Attachments: # <u>1</u> Cert of Familiarity)(Egan, Christopher) (Entered: 07/08/2014)
07/11/2014		

		Minute Entry for proceedings held before Judge Reggie B. Walton: Motion Hearing held on 7/11/2014 re <u>83</u> MOTION for Discovery/Preliminary Injunction filed by TRUE THE VOTE, INC., HEARD and TAKEN UNDER ADVISEMENT. (Order forthcoming). (Court Reporter Cathryn Jones) (ad) (Entered: 07/11/2014)
07/11/2014	<u>91</u>	ORDER. In accordance with the rulings orally issued by the Court during the July 11, 2014 hearing, and to inform the Court's consideration of current and/or future discovery matters pertaining to the emails and computer hard drive at issue, it is hereby ORDERED that, on or before July 18, 2014, defendant the Internal Revenue Service shall submit to the Court an affidavit or declaration signed under oath by an appropriate individual with firsthand knowledge that: 1. outlines the expertise and qualifications of the individual or individuals currently conducting the forensic examination as part of the Inspector General's investigation; 2. outlines the expertise and qualifications of the individual or individuals who previously conducted forensic examinations or otherwise attempted to recover information from the computer hard drive at issue; 3. provides a projected date of completion of the Inspector General's investigation; 4. states whether the serial number, if any, assigned to the computer hard drive at issue is known; and 5. if the serial number is known, why the computer hard drive cannot be identified and preserved. See the attached order for additional details. Signed by Judge Reggie B. Walton on 7/11/2014. (lcrbw2) (Entered: 07/11/2014)
07/11/2014		Set/Reset Deadline: On or before 7/18/2014, defendant the Internal Revenue Service shall submit to the Court an affidavit or declaration. (ad) (Entered: 07/11/2014)
07/18/2014	<u>92</u>	NOTICE of <i>Filing the Declaration of Timothy P. Camus, Stephen L. Manning, and Todd Egaas</i> by RONALD BELL, JANINE L. ESTES, DAVID FISH, STEVEN GRODNITZKY, INTERNAL REVENUE SERVICE, LOIS LERNER, SUSAN MALONEY, STEVEN T. MILLER, FAYE NG, HOLLY PAZ, MICHAEL SETO, DOUGLAS H. SHULMAN, CINDY M. THOMAS, UNITED STATES OF AMERICA, UNKNOWN NAMED EMPLOYEES OF INTERNAL REVENUE SERVICE, DANIEL WERFEL, WILLIAM WILKINS re <u>91</u> Order,,,,, (Attachments: # <u>1</u> Exhibit Ex. A Declaration of Timothy Camus, # <u>2</u> Exhibit Ex. B Declaration of Stephen L. Manning, # <u>3</u> Exhibit Ex. C Declaration of Todd O. Egaas)(Sergi, Joseph) (Entered: 07/18/2014)
07/21/2014	<u>93</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by RONALD BELL, JANINE L. ESTES, DAVID FISH, STEVEN GRODNITZKY, LOIS LERNER, SUSAN MALONEY, STEVEN T. MILLER, FAYE NG, HOLLY PAZ, MICHAEL SETO, DOUGLAS H. SHULMAN, CINDY M. THOMAS, WILLIAM WILKINS (Lamken, Jeffrey) (Entered: 07/21/2014)
07/22/2014	<u>94</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by TRUE THE VOTE, INC. (Johnson, Noel) (Entered: 07/22/2014)
07/23/2014	<u>95</u>	RESPONSE re <u>94</u> NOTICE OF SUPPLEMENTAL AUTHORITY <i>Federal Defendants' Response to Plaintiffs' Notice of Supplemental Authority</i> filed by UNITED STATES OF AMERICA. (Hartt, Grover) (Entered: 07/23/2014)
08/07/2014	<u>96</u>	ORDER denying <u>83</u> Motion for Discovery; denying <u>83</u> Motion for Preliminary Injunction. Per the attached Order and for the reasons stated in the Memorandum Opinion entered this same date, it is hereby ORDERED that the Plaintiff's Motion for Preliminary Injunction and Expedited Discovery to Prevent Further Spoliation of, and to Preserve and Restore, Evidence and Discoverable Information is DENIED. Signed

		by Judge Reggie B. Walton on 8/7/2014. (lcrbw2) (Entered: 08/07/2014)
08/07/2014	<u>97</u>	MEMORANDUM OPINION. Signed by Judge Reggie B. Walton on 8/7/2014. (lcrbw2) (Entered: 08/07/2014)
09/02/2014	<u>98</u>	TRANSCRIPT OF PROCEEDINGS before Judge Reggie B. Walton held on July 11, 2014; Page Numbers: 1 – 88. Court Reporter/Transcriber Cathryn Jones, Telephone number 202 354-3246, Court Reporter Email Address : jcathryn55@yahoo.com.<P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov .<P></P> Redaction Request due 9/23/2014. Redacted Transcript Deadline set for 10/3/2014. Release of Transcript Restriction set for 12/1/2014.(Jones, Cathryn) (Entered: 09/02/2014)
10/08/2014	<u>99</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by TRUE THE VOTE, INC. (Johnson, Noel) (Entered: 10/08/2014)
10/13/2014	<u>100</u>	RESPONSE re <u>99</u> NOTICE OF SUPPLEMENTAL AUTHORITY filed by RONALD BELL, JANINE L. ESTES, DAVID FISH, STEVEN GRODNITZKY, LOIS LERNER, SUSAN MALONEY, STEVEN T. MILLER, FAYE NG, HOLLY PAZ, MICHAEL SETO, DOUGLAS H. SHULMAN, CINDY M. THOMAS, WILLIAM WILKINS. (Gerson, Erica) (Entered: 10/13/2014)
10/17/2014	<u>101</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to INTERNAL REVENUE SERVICE, UNITED STATES OF AMERICA. Attorney Christopher David Belen terminated. (Belen, Christopher) (Entered: 10/17/2014)
10/23/2014	<u>102</u>	ORDER granting <u>54</u> Motion to Dismiss; granting <u>63</u> Motion to Dismiss; granting <u>64</u> Motion to Dismiss; denying <u>68</u> Motion to Stay. Per the attached Order, and for the reasons stated in the Court's Memorandum Opinion issued this same date, it is hereby ORDERED that the Defendants' Motion to Dismiss Counts I, II, IV[,] and V is GRANTED. It is further ORDERED that the Individual Management Defendants' Motion to Dismiss is GRANTED. It is further ORDERED that the Motion to Dismiss of Cincinnati Defendants Susan Maloney, Ronald Bell, Janine L. Estes, and Faye Ng is GRANTED. It is further ORDERED that the Plaintiff's Motion to Stay Agency Action is DENIED AS MOOT. It is further ORDERED that the plaintiff's request for an oral hearing is DENIED AS MOOT. It is further ORDERED that this case is CLOSED. Signed by Judge Reggie B. Walton on October 23, 2014. (lcrbw2) (Entered: 10/23/2014)
10/23/2014	<u>103</u>	MEMORANDUM OPINION. Signed by Judge Reggie B. Walton on October 23, 2014. (lcrbw2) (Entered: 10/23/2014)
12/18/2014	<u>104</u>	NOTICE OF APPEAL TO DC CIRCUIT COURT as to <u>103</u> Memorandum & Opinion, <u>102</u> Order on Motion to Dismiss,,, Order on Motion to Stay,,,,,,,,, by TRUE THE VOTE, INC.. Filing fee \$ 505, receipt number 0090-3940769. Fee Status: Fee Paid. Parties have been notified. (Johnson, Noel) (Entered: 12/18/2014)

12/18/2014	<u>105</u>	Transmission of the Notice of Appeal, OrderAppealed, and Docket Sheet to US Court of Appeals. The Court of Appeals fee was paid this date 12/18/14 re <u>104</u> Notice of Appeal to DC Circuit Court,. (td,) (Entered: 12/18/2014)
12/19/2014		USCA Case Number 14-5316 for <u>104</u> Notice of Appeal to DC Circuit Court, filed by TRUE THE VOTE, INC.. (rd) (Entered: 12/19/2014)
09/27/2016	<u>106</u>	MANDATE of USCA as to <u>104</u> Notice of Appeal to DC Circuit Court, filed by TRUE THE VOTE, INC. USCA Case Number 14-5316. (Attachments: # <u>1</u> judgment filed August 5, 2016)(zrdj) (Entered: 09/27/2016)
09/29/2016		Set/Reset Hearings: Status Conference set for 10/12/2016 at 03:30 PM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 09/29/2016)
09/29/2016		Set/Reset Hearings: Status Conference set for 10/12/2016 at 03:30 PM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 09/29/2016)
10/07/2016	<u>107</u>	Consent MOTION for Extension of Time to File Answer re <u>14</u> Amended Complaint,,, by UNITED STATES OF AMERICA (Attachments: # <u>1</u> Text of Proposed Order)(Sergi, Joseph) (Entered: 10/07/2016)
10/11/2016	<u>108</u>	NOTICE of Appearance by Eric Richard Nitz on behalf of RONALD BELL, JANINE L. ESTES, SUSAN MALONEY, FAYE NG (Nitz, Eric) (Entered: 10/11/2016)
10/11/2016		MINUTE ORDER. Upon consideration of the Federal Defendants' Motion to Extend Response Time, and in light of the fact that the plaintiff does not oppose this motion so long as the extension does not exceed twenty days, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the federal defendants' response time shall be reset at the status conference scheduled for October 12, 2016. Signed by Judge Reggie B. Walton on October 11, 2016. (lcrbw2) (Entered: 10/11/2016)
10/12/2016		Minute Entry; for proceedings held before Judge Reggie B. Walton: Status Conference held on 10/12/2016. Scheduling Order to issue via chambers. Status Conference set for 11/18/2016 at 02:30 PM in Courtroom 16 before Judge Reggie B. Walton. (Court Reporter Jeff Hook) (hs) (Entered: 10/12/2016)
10/14/2016	<u>109</u>	ORDER. In accordance with the attached Order, it is hereby ORDERED that on or before November 11, 2016, the defendants shall file their motion to dismiss, or in the alternative, motion for summary judgment, stating their position as to why the plaintiff's claims are now moot as alleged during the October 12, 2016 status conference, given the United States Court of Appeals for the District of Columbia Circuit's opinion in this case. In their motion in support of their mootness position, the defendants shall indicate why the plaintiff's claims are moot, including addressing why the plaintiff will not experience any negative consequences resulting from the alleged discriminatory targeting scheme employed by the defendants throughout its tenure as a tax-exempt entity. Although not addressed during the status conference, it is further ORDERED that on or before November 11, 2016, the plaintiff shall advise the Court as to what, if any, declaratory relief it believes it is entitled to receive based on the current record. It is further ORDERED that the parties shall appear before the Court for a status conference on November 18, 2016, at 2:30 p.m. Signed by Judge Reggie B. Walton on October 14, 2016. (lcrbw2) (Entered: 10/14/2016)
10/17/2016		Set/Reset Deadlines: Defendants' Summary Judgment motions/Motion to Dismiss due by 11/11/2016. Plaintiffs' Supplemental Memoranda due by 11/11/2016. (hs) (Entered: 10/17/2016)

10/20/2016	<u>110</u>	<p>TRANSCRIPT OF PROCEEDINGS before Judge Reggie B. Walton held on October 12, 2016; Page Numbers: 1 – 45. Date of Issuance: October 20, 2016. Court Reporter: Jeff Hook. Contact information: 202-354-3373 / jeff_hook@dcd.uscourts.gov. Transcripts may be ordered by submitting the Transcript Order Form</p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 11/10/2016. Redacted Transcript Deadline set for 11/20/2016. Release of Transcript Restriction set for 1/18/2017.(Hook, Jeff) (Entered: 10/20/2016)</p>
10/27/2016	<u>111</u>	NOTICE of Appearance by Gerald Alan Role on behalf of All Defendants (Role, Gerald) (Entered: 10/27/2016)
11/11/2016	<u>112</u>	MOTION for Summary Judgment by UNITED STATES OF AMERICA (Attachments: # <u>1</u> Exhibit 2015 TIGTA Report, # <u>2</u> Statement of Facts, # <u>3</u> Declaration TAMERA L. RIPPERDA Director, Exempt Organizations, # <u>4</u> Text of Proposed Order)(Sergi, Joseph) (Entered: 11/11/2016)
11/11/2016	<u>113</u>	NOTICE <i>As To Plaintiff's Entitlement to Declaratory Relief</i> by TRUE THE VOTE, INC. re <u>109</u> Order,,, (Johnson, Noel) (Entered: 11/11/2016)
11/17/2016	<u>114</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>112</u> MOTION for Summary Judgment by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Phillips, Kaylan) (Entered: 11/17/2016)
11/17/2016	<u>115</u>	Unopposed MOTION for Order requiring Defendants to File Answer by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Phillips, Kaylan) (Entered: 11/17/2016)
11/18/2016		MINUTE ORDER. Upon consideration of the plaintiff's Unopposed Motion for Order Requiring Defendants to File Answer to First Amended Complaint, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the federal defendants shall file an Answer to the plaintiff's First Amended Complaint on or before December 19, 2016. Signed by Judge Reggie B. Walton on November 18, 2016. (lcrbw2) (Entered: 11/18/2016)
11/18/2016		MINUTE ORDER. Upon consideration of the plaintiff's Unopposed Motion for Extension of Deadlines Regarding Defendants' Motion for Summary Judgment, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the deadlines for the Plaintiff's Response and the Defendants' Reply regarding the Defendants' Motion for Summary Judgment are EXTENDED and will be set at the status conference scheduled for November 18, 2016. Signed by Judge Reggie B. Walton on November 16, 2016.. Signed by Judge Reggie B. Walton

		on November 18, 2016. (lcrbw2) (Entered: 11/18/2016)
11/18/2016		Set/Reset Deadlines: Federal Defendant's Answer to the Complaint due by 12/19/2016. (hs) (Entered: 11/18/2016)
11/18/2016		Minute Entry; for proceedings held before Judge Reggie B. Walton: Status Conference held on 11/18/2016, Status Conference set for 3/2/2016 at 02:30 PM in Courtroom 16 before Judge Reggie B. Walton. (Court Reporter Cathryn Jones) (hs) (Entered: 11/18/2016)
11/22/2016	<u>116</u>	ORDER. In accordance with the attached Order, it is hereby ORDERED that on or before January 19, 2017, the plaintiff shall file its opposition to the federal defendants' motion for summary judgment or, in the alternative, a motion pursuant to Federal Rule of Civil Procedure 56(d), "specif[ying the] reasons, it cannot present facts essential to justify its opposition." Fed. R. Civ. P. 56(d). It is further ORDERED that on or before February 9, 2017, the federal defendants shall file their reply in support of their motion for summary judgment or, in the alternative, their opposition to the plaintiff's Rule 56(d) motion if such a motion has been filed. It is further ORDERED that the parties shall appear before the Court for a status conference on March 2, 2017, at 2:30 p.m. Signed by Judge Reggie B. Walton on November 22, 2016. (lcrbw2) (Entered: 11/22/2016)
11/23/2016		Set/Reset Deadlines: Response to Motion for Summary Judgment due by 1/19/2017. Reply to Motion for Summary Judgment due by 2/9/2017. (hs) (Entered: 11/23/2016)
12/19/2016	<u>117</u>	ANSWER to <u>14</u> Amended Complaint,,, by RONALD BELL, JANINE L. ESTES, DAVID FISH, STEVEN GRODNITZKY, INTERNAL REVENUE SERVICE, LOIS LERNER, SUSAN MALONEY, STEVEN T. MILLER, FAYE NG, HOLLY PAZ, MICHAEL SETO, DOUGLAS H. SHULMAN, CINDY M. THOMAS, UNITED STATES OF AMERICA, UNKNOWN NAMED EMPLOYEES OF INTERNAL REVENUE SERVICE, DANIEL WERFEL, WILLIAM WILKINS. Related document: <u>14</u> Amended Complaint,,, filed by TRUE THE VOTE, INC..(Sergi, Joseph) (Entered: 12/19/2016)
01/11/2017	<u>118</u>	NOTICE of Change of Address by Kaylan L. Phillips (Phillips, Kaylan) (Entered: 01/11/2017)
01/19/2017	<u>119</u>	Memorandum in opposition to re <u>112</u> MOTION for Summary Judgment filed by TRUE THE VOTE, INC.. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Exhibit Index, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Text of Proposed Order)(Johnson, Noel) (Entered: 01/19/2017)
01/19/2017	<u>120</u>	MOTION for Discovery <i>Under Rule 56(d)</i> by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Affidavit of Cleta Mitchell, # <u>2</u> Affidavit of Catherine Engelbrecht, # <u>3</u> Text of Proposed Order)(Johnson, Noel) (Entered: 01/19/2017)
02/09/2017	<u>121</u>	REPLY to opposition to motion re <u>112</u> MOTION for Summary Judgment filed by UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Exhibit Index, # <u>3</u> Exhibit 1 – Transcript excerpt, # <u>4</u> Exhibit 2 – TTV information response excerpt, # <u>5</u> Exhibit 3 – Letters between counsel, # <u>6</u> Exhibit 4 – PATH Act excerpts)(Sergi, Joseph) (Entered: 02/09/2017)
02/09/2017	<u>122</u>	Memorandum in opposition to re <u>120</u> MOTION for Discovery <i>Under Rule 56(d)</i> filed by UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Text of Proposed Order)(Sergi, Joseph) (Entered: 02/09/2017)

02/16/2017	<u>123</u>	REPLY to opposition to motion re <u>120</u> MOTION for Discovery <i>Under Rule 56(d)</i> filed by TRUE THE VOTE, INC.. (Johnson, Noel) (Entered: 02/16/2017)
02/22/2017	<u>124</u>	NOTICE of Appearance by James Bopp, Jr on behalf of All Plaintiffs (Bopp, James) (Entered: 02/22/2017)
02/23/2017	<u>125</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to TRUE THE VOTE, INC.. Attorney Cleta Deatherage Mitchell terminated. (Mitchell, Cleta) (Entered: 02/23/2017)
02/23/2017	<u>126</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to TRUE THE VOTE, INC.. Attorney Mathew D. Gutierrez terminated. (Gutierrez, Mathew) (Entered: 02/23/2017)
02/23/2017	<u>127</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to TRUE THE VOTE, INC.. Attorney Noel H. Johnson terminated. (Johnson, Noel) (Entered: 02/23/2017)
02/23/2017	<u>128</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to TRUE THE VOTE, INC.. Attorney Kaylan L. Phillips terminated. (Phillips, Kaylan) (Entered: 02/23/2017)
02/24/2017	<u>129</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to TRUE THE VOTE, INC.. Attorney John C. Eastman terminated. (Eastman, John) (Entered: 02/24/2017)
02/24/2017	<u>130</u>	MOTION to Continue <i>Hearing</i> by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Bopp, James) (Entered: 02/24/2017)
02/24/2017	<u>131</u>	RESPONSE re <u>130</u> MOTION to Continue <i>Hearing</i> filed by UNITED STATES OF AMERICA. (Sergi, Joseph) (Entered: 02/24/2017)
02/24/2017	<u>132</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to TRUE THE VOTE, INC.. Attorney William E. Davis terminated. (Davis, William) (Entered: 02/24/2017)
02/26/2017	<u>133</u>	REPLY to opposition to motion re <u>130</u> MOTION to Continue <i>Hearing</i> filed by TRUE THE VOTE, INC.. (Bopp, James) (Entered: 02/26/2017)
02/27/2017	<u>134</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to TRUE THE VOTE, INC.. Attorney Michael J. Lockerby terminated. (Lockerby, Michael) (Entered: 02/27/2017)
02/27/2017	<u>135</u>	Unopposed MOTION for Leave to Appear Pro Hac Vice :Attorney Name— Courtney Turner Milbank, :Firm— The Bopp Law Firm PC, :Address— 1 South Sixth Street, Terre Haute IN 47807. Phone No. – 812–232–2434. Fax No. – 812–235–3685 Filing fee \$ 100, receipt number 0090–4856464. Fee Status: Fee Paid. by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Bopp, James) (Entered: 02/27/2017)
02/27/2017		MINUTE ORDER. Upon consideration of the plaintiff's Motion to Continue Hearing, ECF No. 130, and the United States' Response to Plaintiff's Motion to Continue Hearing, ECF No. 131, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the hearing previously scheduled for March 2, 2017, is RESCHEDULED for April 6, 2017, at 2:30 p.m., wherein the Court will hear oral arguments on the pending motions in this case. Signed by Judge Reggie B. Walton on February 27, 2017. (lcrbw2) (Entered: 02/27/2017)
02/27/2017		MINUTE ORDER. Upon consideration of the plaintiff's Motion for Courtney Turner Milbank to Appear Pro Hac Vice, ECF No. 135, and in light of the defendants' consent, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that Courtney Turner Milbank is admitted pro hac vice in this matter for

		the purpose of representing the plaintiff. Signed by Judge Reggie B. Walton on February 27, 2017. (lcrbw2) (Entered: 02/27/2017)
02/28/2017	<u>136</u>	NOTICE of Appearance by Catherine D. Cockerham on behalf of DAVID FISH, STEVEN GRODNITZKY, LOIS LERNER, STEVEN T. MILLER, HOLLY PAZ, MICHAEL SETO, DOUGLAS H. SHULMAN, CINDY M. THOMAS, WILLIAM WILKINS (Cockerham, Catherine) (Entered: 02/28/2017)
02/28/2017		Set/Reset Hearings: Motion Hearing set for 4/6/2017 at 02:30 PM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 02/28/2017)
04/05/2017	<u>137</u>	NOTICE of Appearance by Joseph A. Sergi on behalf of UNITED STATES OF AMERICA (Sergi, Joseph) (Entered: 04/05/2017)
04/06/2017		Set/Reset Hearings: Motion Hearing reset for 4/6/2017 at 01:30 PM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 04/06/2017)
04/06/2017		Minute Entry; for proceedings held before Judge Reggie B. Walton: Oral Arguments heard on 4/6/2017 re <u>120</u> MOTION for Discovery <i>Under Rule 56(d)</i> filed by TRUE THE VOTE, INC. (Court Reporter Cathryn Jones) (hs) (Entered: 04/06/2017)
04/12/2017	<u>138</u>	ORDER. In accordance with the attached Order, it is hereby ORDERED that the plaintiff's Motion for Discovery under Federal Rule of Civil Procedure 56(D), ECF No. 120 is GRANTED. The plaintiff is permitted to conduct discovery limited to the scope of the allegations pleaded in its complaint and to the need to obtain facts essential to its opposition to the Government's motion for summary judgment. Specifically, the plaintiff may submit to the defendants document requests and interrogatories limited in scope to (1) the current status of the Internal Revenue Service's (the "IRS") tax exemption application process, during which the plaintiff contends that it was targeted for illegal purposes, and (2) to past acts of alleged discrimination stemming from the alleged illegal targeting scheme to the extent the information is necessary to ascertain the changes purportedly made by the IRS in its tax exemption application process to "irrevocably eradicate[] the effects of the alleged violation," True the Vote, Inc. v. IRS, 831 F.3d 551, 563 (D.C. Cir. 2016) (quoting Qassim, 466 F.3d at 1075), cert. denied sub nom. True the Vote, Inc. v. Lerner, No. 16-613, 2017 WL 670229 (2017). The plaintiff may also conduct depositions of Tamera L. Ripperda, who at the time she submitted her declaration in support of the Government's motion for summary judgment was the Director of the Exempt Organizations Unit of the Tax Exempt & Government Entities Division of the Deputy Commissioner for Services Enforcement organization of the IRS, and the individual currently employed in this position at the IRS. These depositions are limited in scope consistent with the limitations imposed on the plaintiff's document requests and its interrogatories. It is further ORDERED that, based on the Government's agreement made at the motions hearing, the IRS shall produce to the plaintiff the agency's case file assembled in connection with the plaintiff's application for tax-exempt status that is the subject of this litigation. It is further ORDERED that, although not designated at the motions hearing, the limited discovery afforded pursuant to this Order shall close on July 12, 2017. It is further ORDERED that the United States' Motion for Summary Judgment as to Remaining Claims and Supporting Statement of Points and Authorities, ECF No. 112, is DENIED WITHOUT PREJUDICE. At the close of discovery, the Government may renew its motion for summary judgment if its position that the plaintiff's remaining claims are moot has not changed based on the discovery authorized by the Court. It is further ORDERED that the parties shall appear before the Court for a post-discovery status conference on July 14, 2017, at

		2:30 p.m. Signed by Judge Reggie B. Walton on April 12, 2017. (lcrbw2) (Entered: 04/12/2017)
04/13/2017		Set/Reset Hearings: Post Discovery Status Conference set for 7/14/2017 at 02:30 PM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 04/13/2017)
04/21/2017	<u>139</u>	TRANSCRIPT OF PROCEEDINGS before Judge Reggie B. Walton held on April 6, 2017; Page Numbers: 1 – 64. Court Reporter/Transcriber Cathryn Jones, Telephone number 2023543246, Transcripts may be ordered by submitting the Transcript Order Form<P></P><P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<P></P> Redaction Request due 5/12/2017. Redacted Transcript Deadline set for 5/22/2017. Release of Transcript Restriction set for 7/20/2017.(Jones, Cathryn) (Entered: 04/21/2017)
04/28/2017	<u>140</u>	MOTION to Amend/Correct <i>Discovery Order</i> by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Milbank, Courtney) (Entered: 04/28/2017)
05/01/2017		MINUTE ORDER. Upon consideration of the plaintiff's Motion and Memorandum of Law to Amend Discovery Order, and for good cause shown, it is hereby ORDERED that the motion is GRANTED IN PART. It is further ORDERED that the IRS shall produce to the plaintiff the agency's case file assembled in connection with the plaintiff's application for tax-exemption status that is the subject of this litigation on or before May 19, 2017. It is further ORDERED that the limited discovery afforded in this case pursuant to the Court's April 12, 2017 Order, ECF No. 138, shall now close on August 21, 2017. It is further ORDERED that the status conference previously scheduled for July 14, 2017, is CONTINUED to August 22, 2017, at 2:30 p.m. It is further ORDERED that, on or before May 7, 2017, the federal defendants shall respond to the plaintiff's proposed modifications of the Court's April 12, 2017 Order concerning the discovery requests that were withdrawn by the plaintiff during the motions hearing. Signed by Judge Reggie B. Walton on May 1, 2017. (lcrbw2) (Entered: 05/01/2017)
05/01/2017		Set/Reset Deadlines/Hearings: Discovery due by 8/21/2017. Status Conference reset for 8/22/2017 at 02:30 PM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 05/01/2017)
05/05/2017	<u>141</u>	RESPONSE re <u>140</u> MOTION to Amend/Correct <i>Discovery Order</i> filed by RONALD BELL, JANINE L. ESTES, DAVID FISH, STEVEN GRODNITZKY, INTERNAL REVENUE SERVICE, LOIS LERNER, SUSAN MALONEY, STEVEN T. MILLER, FAYE NG, HOLLY PAZ, MICHAEL SETO, DOUGLAS H. SHULMAN, CINDY M. THOMAS, UNITED STATES OF AMERICA, UNKNOWN NAMED EMPLOYEES OF INTERNAL REVENUE SERVICE, DANIEL WERFEL, WILLIAM WILKINS. (Sergi, Joseph) (Entered: 05/05/2017)
05/05/2017	<u>142</u>	

		NOTICE of Attorney's Charging Lien by PUBLIC INTEREST LEGAL FOUNDATION (Johnson, Noel) (Entered: 05/05/2017)
05/08/2017		MINUTE ORDER. Upon consideration of the plaintiff's Motion and Memorandum of Law to Amend Discovery Order and the United States' Response to Plaintiff's Motion to Amend Discovery Order, and for good cause shown, it is hereby ORDERED that motion is GRANTED with respect to clarifying the discovery requests the plaintiff withdrew at the motions hearing held on April 6, 2017. It is further ORDERED that the Court's April 12, 2017 Discovery Order is AMENDED to reflect that the Plaintiff has withdrawn only the following two discovery requests: (a) Evidence concerning the use of viewpoint-based criteria in any aspect of tax administration, and (b) Evidence concerning the political interests and biases of IRS employees and officials. Signed by Judge Reggie B. Walton on May 8, 2017. (lcrbw2) (Entered: 05/08/2017)
07/12/2017	<u>143</u>	NOTICE of Appearance by Steven Marcus Dean on behalf of UNITED STATES OF AMERICA (Dean, Steven) (Entered: 07/12/2017)
08/14/2017	<u>144</u>	Unopposed MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Brock Cordt Akers, :Firm- The Akers Firm, PLLC, :Address- 3401 Allen Parkway, Suite 101, Houston, TX 77019. Phone No. - (713) 877-2500. Fax No. - (713) 583-8662 Filing fee \$ 100, receipt number 0090-5072607. Fee Status: Fee Paid. by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order PHV Motion Brock Cordt Akers)(Bopp, James) (Entered: 08/14/2017)
08/14/2017		MINUTE ORDER. Upon consideration of the plaintiff's Motion for Brock Cordt to Appear Pro Hac Vice, ECF No. 144, and in light of the defendants' consent, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that Brock Cordt is admitted pro hac vice in this matter for the purpose of representing the plaintiff. Signed by Judge Reggie B. Walton on August 14, 2017. (lcrbw2) (Entered: 08/14/2017)
08/17/2017		MINUTE ORDER. Due to a change in the Court's calendar, and because judicial economy would be best served by holding the post-discovery status conference in this case simultaneously with the post-discovery status conference in Case No. 13-cv-777, it is hereby ORDERED that the status conference previously scheduled for August 22, 2017, is CONTINUED to October 18, 2017, at 2:30 p.m. Signed by Judge Reggie B. Walton on August 17, 2017. (lcrbw2) (Entered: 08/17/2017)
08/17/2017		Set/Reset Hearings: Status Conference reset for 10/18/2017 at 02:30 PM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 08/17/2017)
08/17/2017	<u>145</u>	Joint MOTION for Extension of Time to Complete Discovery by UNITED STATES OF AMERICA (Attachments: # <u>1</u> Text of Proposed Order)(Sergi, Joseph) (Entered: 08/17/2017)
08/18/2017		MINUTE ORDER. Upon consideration of the parties' Joint Motion for an Extension of Time to Complete Discovery Allowed by Court's April 12, 2017 Order, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the limited discovery afforded in this case shall now CLOSE on October 16, 2017. Signed by Judge Reggie B. Walton on August 18, 2017. (lcrbw2) (Entered: 08/18/2017)
08/21/2017		Set/Reset Deadlines: Discovery due by 10/16/2017. (hs) (Entered: 08/21/2017)
10/10/2017	<u>146</u>	

		Consent MOTION for Extension of Time to Complete Discovery to December 15, 2017, Consent MOTION to Continue Post-Discovery Status Conference by UNITED STATES OF AMERICA (Attachments: # 1 Text of Proposed Order)(Sergi, Joseph) (Entered: 10/10/2017)
10/11/2017		MINUTE ORDER. Upon consideration of the government's Consent Motion for an Extension of Time to Complete Discovery Allowed by Court's April 12, 2017 Order and to Continue Status Conference, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the limited discovery afforded in this case shall now CLOSE on December 15, 2017. It is further ORDERED that the status conference previously scheduled for October 18, 2017, is CONTINUED to December 20, 2017, at 2:30 p.m. Signed by Judge Reggie B. Walton on October 11, 2017. (lcrbw2) (Entered: 10/11/2017)
10/11/2017		Set/Reset Deadlines/Hearings: Limited Discovery due by 12/15/2017. Status Conference reset for 12/20/2017 at 02:30 PM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 10/11/2017)
10/23/2017	147	NOTICE OF WITHDRAWAL OF APPEARANCE as to INTERNAL REVENUE SERVICE, UNITED STATES OF AMERICA. Attorney Christopher Randy Egan terminated. (Egan, Christopher) (Entered: 10/23/2017)
12/14/2017	148	Joint MOTION to Stay Deadlines Pending Settlement Discussion by UNITED STATES OF AMERICA (Attachments: # 1 Text of Proposed Order)(Sergi, Joseph) (Entered: 12/14/2017)
12/15/2017		MINUTE ORDER granting 148 Motion to Stay. Upon consideration of the parties' Joint Motion to Stay Deadlines Pending Settlement Discussion, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the limited discovery permitted by the Court's April 12, 2017 Order is STAYED, and the status conference currently scheduled for December 20, 2017, is VACATED until further order by the Court. It is further ORDERED that the parties, on or before January 16, 2018, shall file on the docket a joint status report, updating the Court as to the status of this case. Signed by Judge Reggie B. Walton on December 15, 2017. (lcrbw2) (Entered: 12/15/2017)
12/15/2017		Set/Reset Deadlines: Joint Status Report due by 1/16/2018 (hs) (Entered: 12/15/2017)
01/16/2018	149	Joint MOTION to Approve Consent Judgment by UNITED STATES OF AMERICA (Attachments: # 1 Text of Proposed Order)(Sergi, Joseph) (Entered: 01/16/2018)
01/21/2018	150	ORDER granting 149 Motion to Approve Consent Judgment. See attached Order for details. Signed by Judge Reggie B. Walton on January 19, 2018. (lcrbw2) (Entered: 01/21/2018)
02/20/2018	151	MOTION for Attorney Fees by TRUE THE VOTE, INC. (Attachments: # 1 Declaration Bopp Decl, # 2 Exhibit Exhibit 1 Bopp Decl, # 3 Exhibit Exhibit 2 Bopp Decl, # 4 Declaration Eastman Decl, # 5 Exhibit Exhibit 1 Eastman Decl, # 6 Declaration Johnson Decl, # 7 Declaration Mitchell Decl, # 8 Memorandum in Support Memo in Support, # 9 Exhibit Foley Billing Records, # 10 Exhibit PILF Billing Records, # 11 Exhibit CCJ Billing Records, # 12 Exhibit PILF Foley Expenses, # 13 Exhibit BLF Billing Records, # 14 Exhibit LSI Laffey Rates, # 15 Exhibit EAJA Rates, # 16 Exhibit Table for Unsuccessful Claims, # 17 Exhibit Consent Order Cover Letter, # 18 Exhibit Determination Letter, # 19 Exhibit Z STREET Consent Order, # 20 Text of Proposed Order Proposed Order)(Bopp, James)

		(Entered: 02/20/2018)
03/06/2018	<u>152</u>	RESPONSE re <u>151</u> MOTION for Attorney Fees filed by UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Exhibit 1)(Sergi, Joseph) (Entered: 03/06/2018)
03/08/2018	<u>153</u>	Proposed MOTION for Extension of Time to File Response/Reply as to <u>151</u> MOTION for Attorney Fees by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order on Extension)(Bopp, James) (Entered: 03/08/2018)
03/08/2018	<u>154</u>	Amended MOTION to Amend/Correct <u>153</u> Proposed MOTION for Extension of Time to File Response/Reply as to <u>151</u> MOTION for Attorney Fees by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order Amended Proposed Order)(Bopp, James) (Entered: 03/08/2018)
03/08/2018		MINUTE ORDER finding as moot <u>153</u> ; granting <u>154</u> . Upon consideration of the Plaintiff's Amended Motion for 30-day Extension for Reply to Opposition to Plaintiff's Application and Motion for Attorneys' Fees, Costs, and Expenses, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the plaintiff shall file its reply on or before April 12, 2018. Signed by Judge Reggie B. Walton on March 8, 2018. (lcrbw2) (Entered: 03/08/2018)
03/09/2018		Set/Reset Deadlines: Plaintiff's Reply due by 4/12/2018. (hs) (Entered: 03/09/2018)
04/11/2018	<u>155</u>	REPLY to opposition to motion re <u>151</u> MOTION for Attorney Fees <i>Reply to Opposition to Application for Attorneys' Fees</i> filed by TRUE THE VOTE, INC.. (Bopp, James) (Entered: 04/11/2018)
04/13/2018	<u>156</u>	REPLY to opposition to motion re <u>151</u> MOTION for Attorney Fees <i>Amended/Corrected</i> filed by TRUE THE VOTE, INC.. (Bopp, James) (Entered: 04/13/2018)
04/18/2018	<u>157</u>	Supplemental MOTION for Attorney Fees by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Exhibit BLF Feb Mar April Billing Records, # <u>2</u> Declaration Bopp Supplemental Declaration, # <u>3</u> Text of Proposed Order Proposed Order)(Bopp, James) (Entered: 04/18/2018)
02/01/2019	<u>158</u>	MOTION for Hearing re <u>151</u> MOTION for Attorney Fees by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order on Plaintiffs Motion for Oral Argument)(Bopp, James) (Entered: 02/01/2019)
02/06/2019	<u>159</u>	Memorandum in opposition to re <u>158</u> MOTION for Hearing re <u>151</u> MOTION for Attorney Fees filed by UNITED STATES OF AMERICA. (Sergi, Joseph) (Entered: 02/06/2019)
02/12/2019	<u>160</u>	REPLY to opposition to motion re <u>158</u> MOTION for Hearing re <u>151</u> MOTION for Attorney Fees filed by TRUE THE VOTE, INC.. (Bopp, James) (Entered: 02/12/2019)
05/30/2019	<u>161</u>	ORDER. In accordance with the Memorandum Opinion issued on this same date, it is hereby ORDERED that the <u>151</u> Plaintiff's Application and Motion for Attorneys' Fees, Costs, and Expenses Under the Equal Access to Justice Act is GRANTED IN PART AND HELD IN ABEYANCE IN PART. The motion is GRANTED to the extent that it seeks a finding that the plaintiff is entitled to attorneys' fees and costs under the Equal Access to Justice Act. The motion is HELD IN ABEYANCE in all other respects pending further submission by the plaintiff supporting the reasonableness of the requested attorney and non-attorney billing rates. It is further

		ORDERED that the <u>157</u> Plaintiff's Supplemental Application and Motion for Attorneys' Fees, Costs, and Expenses Under the Equal Access to Justice Act is HELD IN ABEYANCE pending further submission by the plaintiff supporting the reasonableness of the requested attorney and non-attorney billing rates. It is further ORDERED that the <u>158</u> Plaintiff's Motion for Oral Argument is HELD IN ABEYANCE pending further submission by the plaintiff supporting the reasonableness of the requested attorney and non-attorney billing rates. It is further ORDERED that, on or before June 13, 2019, the plaintiff shall submit (1) additional evidence supporting the reasonableness of its requested attorney and non-attorney billing rates and (2) revised billing records separating all time entries by timekeeper. It is further ORDERED that, on or before June 20, 2019, the defendants shall file an opposition, if any, to the plaintiff's response to this Order. Signed by Judge Reggie B. Walton on May 30, 2019. (lcrbw2) (Entered: 05/30/2019)
05/30/2019	<u>162</u>	MEMORANDUM OPINION. Signed by Judge Reggie B. Walton on May 30, 2019. (lcrbw2) (Entered: 05/30/2019)
05/30/2019		Set/Reset Deadlines: plaintiff shall submit (1) additional evidence supporting the reasonableness of its requested attorney and non-attorney billing rates and (2) revised billing records separating all time entries by timekeeper. It is further ORDERED that, on or before June 20, 2019, the defendants shall file an opposition, (hs) (Entered: 05/30/2019)
05/31/2019	<u>163</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Jeffrey P. Gallant, :Firm- The Bopp Law Firm, P.C., :Address- 1 South Sixth St., Terre Haute, IN 47807. Phone No. - 8122322434. Fax No. - 8122353685 Filing fee \$ 100, receipt number 0090-6158895. Fee Status: Fee Paid. by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Bopp, James) (Entered: 05/31/2019)
05/31/2019	<u>164</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Melena S. Siebert, :Firm- The Bopp Law Firm, P.C., :Address- 1 South Sixth St., Terre Haute, IN 47807. Phone No. - 8122322434. Fax No. - 8122353685 Filing fee \$ 100, receipt number 0090-6158902. Fee Status: Fee Paid. by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Bopp, James) (Entered: 05/31/2019)
06/03/2019		MINUTE ORDER. The Court having considered the plaintiff's <u>163</u> Motion For Jeffrey P. Gallant to Appear Pro Hac Vice, and <u>164</u> Motion For Melena S. Siebert to Appear Pro Hac Vice, and it appearing to the Court that the attorneys referenced therein meet the requirements for pro hac vice admission under this Court's rules, it is hereby ORDERED that the motions are GRANTED. It is further ORDERED that Jeffrey P. Gallant, The Bopp Law Firm, PC, 1 South Sixth Street, Terre Haute, IN 47807, and Melena S. Siebert, The Bopp Law Firm, PC, 1 South Sixth Street, Terre Haute, IN 47807, are ADMITTED to practice before the Court pro hac vice. Signed by Judge Reggie B. Walton on June 3, 2019. (lcrbw2) (Entered: 06/03/2019)
06/13/2019	<u>165</u>	NOTICE of Compliance with Court Order by TRUE THE VOTE, INC. re <u>161</u> Order, , , , , (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit, # <u>18</u> Exhibit, # <u>19</u> Exhibit, # <u>20</u> Exhibit, # <u>21</u> Exhibit, # <u>22</u> Exhibit, # <u>23</u> Exhibit, # <u>24</u> Exhibit, # <u>25</u> Exhibit, # <u>26</u> Text of Proposed Order)(Bopp, James) (Entered: 06/13/2019)
06/14/2019	<u>166</u>	

		Supplemental MOTION for Attorney Fees by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Text of Proposed Order)(Bopp, James) (Entered: 06/14/2019)
06/17/2019	<u>167</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by TRUE THE VOTE, INC. (Bopp, James) (Entered: 06/17/2019)
06/19/2019	<u>168</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>166</u> , <u>167</u> Supplemental MOTION for Attorney Fees by UNITED STATES OF AMERICA (Attachments: # <u>1</u> Text of Proposed Order)(Sergi, Joseph) Modified to add linkage on 6/20/2019 (ztd). (Entered: 06/19/2019)
06/20/2019		MINUTE ORDER. Upon consideration of the defendants' <u>168</u> Consent Motion for Extension of Time to Respond to Plaintiff's Notice of Compliance with Court Order, Plaintiff's Second Supplemental Application and Motion for Attorneys' Fees, Costs, and Expenses Under the Equal Access to Justice Act, and Plaintiff's Notice of Supplemental Authority, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that, on or before June 27, 2019, the defendants shall file their opposition to the plaintiff's response to the Court's May 30, 2019 Order, ECF No. 161, and the plaintiff's second supplemental motion for attorneys' fees. Signed by Judge Reggie B. Walton on June 20, 2019. (lcrbw2) (Entered: 06/20/2019)
06/20/2019		Set/Reset Deadlines: defendant's opposition to the plaintiff's response to the Court's May 30, 2019 Order, ECF No. 161, and the plaintiff's second supplemental motion for attorneys' fees due by 6/27/2019. (hs) (Entered: 06/20/2019)
06/27/2019	<u>169</u>	Memorandum in opposition to re <u>166</u> Supplemental MOTION for Attorney Fees <u>165</u> <i>Notice of Compliance and 166 Notice of Supplemental Authority</i> filed by UNITED STATES OF AMERICA. (Attachments: # <u>1</u> Exhibit BLF Bills part 1 of 2, # <u>2</u> Exhibit BLF Bills part 2 of 2, # <u>3</u> Exhibit BLF Supplemental Bills, # <u>4</u> Exhibit CCJ Bills, # <u>5</u> Exhibit PILF Bills part 1 of 8, # <u>6</u> Exhibit PILF Bills part 2 of 8, # <u>7</u> Exhibit PILF Bills part 3 of 8, # <u>8</u> Exhibit PILF Bills part 4 of 8, # <u>9</u> Exhibit PILF Bills part 5 of 8, # <u>10</u> Exhibit PILF Bills part 6 of 8, # <u>11</u> Exhibit PILF Bills part 7 of 8, # <u>12</u> Exhibit PILF Bills part 8 of 8, # <u>13</u> Exhibit Foley Bills part 1 of 4, # <u>14</u> Exhibit Foley Bills part 2 of 4, # <u>15</u> Exhibit Foley Bills part 3 of 4, # <u>16</u> Exhibit Foley Bills part 4 of 4, # <u>17</u> Exhibit PILF/Foley expenses)(Sergi, Joseph) (Entered: 06/27/2019)
06/27/2019	<u>170</u>	Partial MOTION for Reconsideration re <u>161</u> Order, , , , <u>162</u> Memorandum & Opinion by UNITED STATES OF AMERICA (Sergi, Joseph) (Entered: 06/27/2019)
07/01/2019	<u>171</u>	Unopposed MOTION for Leave to File <i>Reply to Defs.' Opposition to Pl.'s Notice of Compliance with Court Order</i> by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Bopp, James) (Entered: 07/01/2019)
07/01/2019		MINUTE ORDER. Upon consideration of the <u>171</u> Plaintiff's Unopposed Motion for Leave to Reply to United States' Opposition to Plaintiff's Notice of Compliance with Court Order, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that, on or before July 15, 2019, the plaintiff shall file a reply in support of its response to the Court's May 30, 2019 Order, ECF No. 161. Signed by Judge Reggie B. Walton on July 1, 2019. (lcrbw2) (Entered: 07/01/2019)
07/01/2019		Set/Reset Deadlines: Reply due by 7/15/2019. (gdf) (Entered: 07/01/2019)

07/05/2019	<u>172</u>	REPLY to opposition to motion re <u>166</u> Supplemental MOTION for Attorney Fees <i>Second Supplemental Application for Fees</i> filed by TRUE THE VOTE, INC.. (Bopp, James) (Entered: 07/05/2019)
07/11/2019	<u>173</u>	RESPONSE re <u>170</u> Partial MOTION for Reconsideration re <u>161</u> Order,,,,, <u>162</u> Memorandum & Opinion <i>Opposition to Defendants' Motion for Partial Reconsideration</i> filed by TRUE THE VOTE, INC.. (Bopp, James) (Entered: 07/11/2019)
07/12/2019	<u>174</u>	Consent MOTION for Extension of Time to File Response/Reply <i>in Support of Plaintiff's Notice of Compliance with Court Order</i> by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Bopp, James) (Entered: 07/12/2019)
07/15/2019		MINUTE ORDER. Upon consideration of the <u>174</u> Plaintiff's Consent Motion for an Extension of Time to Reply in Support of Plaintiff's Notice of Compliance with Court Order, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that, on or before July 29, 2019, the plaintiff shall file a reply in support of its response to the Court's May 30, 2019 Order, ECF No. 161. Signed by Judge Reggie B. Walton on July 15, 2019. (lcrbw2) (Entered: 07/15/2019)
07/15/2019		Set/Reset Deadlines: plaintiff's reply in support of its response to the Court's May 30, 2019 Order, ECF No. 161 due by 7/29/2019. (hs) (Entered: 07/15/2019)
07/18/2019	<u>175</u>	REPLY to opposition to motion re <u>170</u> Partial MOTION for Reconsideration re <u>161</u> Order,,,,, <u>162</u> Memorandum & Opinion filed by UNITED STATES OF AMERICA. (Sergi, Joseph) (Entered: 07/18/2019)
07/29/2019	<u>176</u>	REPLY re <u>165</u> Notice (Other),, <i>of Compliance with Court Order</i> filed by TRUE THE VOTE, INC.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit)(Bopp, James) (Entered: 07/29/2019)
08/02/2019	<u>177</u>	MOTION to Strike <u>169</u> Memorandum in Opposition,,, <i>and/or grant related relief</i> , MOTION to strike and/or to hold and consider arguments forefeited and waived re <u>169</u> Memorandum in Opposition,,, <u>152</u> Response to motion by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Bopp, James) (Entered: 08/02/2019)
08/16/2019	<u>178</u>	Memorandum in opposition to re <u>177</u> MOTION to Strike <u>169</u> Memorandum in Opposition,,, <i>and/or grant related relief</i> MOTION to strike and/or to hold and consider arguments forefeited and waived re <u>169</u> Memorandum in Opposition,,, <u>152</u> Response to motion filed by UNITED STATES OF AMERICA. (Sergi, Joseph) (Entered: 08/16/2019)
08/23/2019	<u>179</u>	REPLY to opposition to motion re <u>177</u> MOTION to Strike <u>169</u> Memorandum in Opposition,,, <i>and/or grant related relief</i> MOTION to strike and/or to hold and consider arguments forefeited and waived re <u>169</u> Memorandum in Opposition,,, <u>152</u> Response to motion filed by TRUE THE VOTE, INC.. (Bopp, James) (Entered: 08/23/2019)
09/04/2019	<u>180</u>	Supplemental MOTION for Attorney Fees by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Declaration, # <u>5</u> Exhibit, # <u>6</u> Declaration, # <u>7</u> Exhibit, # <u>8</u> Declaration, # <u>9</u> Text of Proposed Order)(Bopp, James) (Entered: 09/04/2019)

09/18/2019	<u>181</u>	Memorandum in opposition to re <u>180</u> Supplemental MOTION for Attorney Fees filed by UNITED STATES OF AMERICA. (Sergi, Joseph) (Entered: 09/18/2019)
09/25/2019	<u>182</u>	REPLY to opposition to motion re <u>180</u> Supplemental MOTION for Attorney Fees filed by TRUE THE VOTE, INC.. (Attachments: # <u>1</u> Exhibit BLF Corrected Billing Records, # <u>2</u> Exhibit Email Exchange)(Bopp, James) (Entered: 09/25/2019)
09/23/2020	<u>183</u>	ORDER. In accordance with the Memorandum Opinion issued on this same date, it is hereby ORDERED that the <u>151</u> Plaintiff's Application and Motion for Attorneys' Fees, Costs, and Expenses Under the Equal Access to Justice Act (the first motion for fees) is GRANTED IN PART AND DENIED IN PART. The motion is GRANTED to the extent that it seeks an attorneys' fee award for work performed in the underlying litigation until the first motion for fees was filed. The motion is DENIED in all other respects. It is further ORDERED that the <u>157</u> Plaintiff's Supplemental Application and Motion for Attorneys' Fees, Costs, and Expenses Under the Equal Access to Justice Act is GRANTED IN PART AND DENIED IN PART. The motion is GRANTED to the extent that it seeks an attorneys' fee award for work performed in completing briefing on the first motion for fees. The motion is DENIED in all other respects. It is further ORDERED that the <u>158</u> Plaintiff's Motion for Oral Argument is DENIED AS MOOT. It is further ORDERED that the <u>166</u> Plaintiff's Second Supplemental Application and Motion for Attorneys' Fees, Costs, and Expenses Under the Equal Access to Justice Act is DENIED. It is further ORDERED that the <u>170</u> United States' Motion for Partial Reconsideration of Order and Memorandum Opinion (ECF Nos. 161 and 162) and Statement of Points and Authorities is GRANTED. It is further ORDERED that the <u>177</u> Plaintiff's Motion to Strike Defendant's Opposition as Untimely and Grant Related Other Relief is DENIED. It is further ORDERED that the <u>180</u> Plaintiff's Third Supplemental Application and Motion for Attorneys' Fees, Costs, and Expenses Under the Equal Access to Justice Act is DENIED. It is further ORDERED that the parties shall appear before the Court for a status conference on October 22, 2020, at 10:00 a.m., via teleconference by calling 1-877-873-8017 and entering the Court's access code (8583213) followed by the pound key (#). The parties shall be prepared to advise the Court regarding the exact amount owed to the plaintiff in attorneys' fees, consistent with the Court's ruling in its Memorandum Opinion issued on this same date. Signed by Judge Reggie B. Walton on September 23, 2020. (lcrbw2) (Entered: 09/23/2020)
09/23/2020	<u>184</u>	MEMORANDUM OPINION. Signed by Judge Reggie B. Walton on September 23, 2020. (lcrbw2) (Entered: 09/23/2020)
09/24/2020		Set/Reset Hearings: Status Conference set for 10/22/2020 at 10:00 AM by Telephonic/VTC before Judge Reggie B. Walton. (hs) (Entered: 09/24/2020)
10/16/2020	<u>185</u>	Unopposed MOTION to Permit <i>for leave to participate in status conference</i> by PUBLIC INTEREST LEGAL FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order)(Phillips, Kaylan) Modified event title on 10/19/2020 (znmw). (Entered: 10/16/2020)
10/20/2020		MINUTE ORDER. Upon consideration of the plaintiff's former counsel's <u>185</u> Unopposed Motion for Leave to Participate in Status Conference, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that, Mr. William Davis, Mr. John Eastman, and Ms. Kaylan Phillips may participate in the October 22, 2020, status conference. Signed by Judge Reggie B. Walton on October 20, 2020. (lcrbw2) (Entered: 10/20/2020)

10/20/2020	<u>186</u>	NOTICE of Compliance with Court's Order by TRUE THE VOTE, INC. re <u>183</u> Order on Motion for Attorney Fees,,,,,,,,,,,,,, Order on Motion for Hearing,,,,,,,,,, Order on Motion for Reconsideration,,,,,,,,, Order on Motion to Strike,,,, Order on Motion for Miscellaneous Relief,,,,,,,,,,,(Attachments: # <u>1</u> Exhibit EAJA Rates with Cost of Living Adjustments, # <u>2</u> Exhibit LSI Laffey Matrix Rates, # <u>3</u> Text of Proposed Order Proposed Order)(Bopp, James) (Entered: 10/20/2020)
10/21/2020	<u>187</u>	NOTICE Response re DKT <u>186</u> NOTICE of Compliance with Court's Order by INTERNAL REVENUE SERVICE, UNITED STATES OF AMERICA re <u>186</u> Notice (Other),,(Attachments: # <u>1</u> Text of Proposed Order)(Sergi, Joseph) (Entered: 10/21/2020)
10/21/2020	<u>188</u>	Supplemental MOTION for Attorney Fees by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Exhibit Ex 1 to Motion – Fourth Suppl Decl. of James Bopp, Jr., # <u>2</u> Exhibit Ex. A to Fourth Suppl. Decl. – BLF Billing Records at LSI, # <u>3</u> Exhibit Ex. B to Fourth Suppl. Decl. – BLF Billing Records at EAJA, # <u>4</u> Memorandum in Support)(Bopp, James) (Entered: 10/21/2020)
10/22/2020		Minute Entry; for proceedings held before Judge Reggie B. Walton: Motion Hearing held on 10/22/2020 re <u>180</u> Supplemental MOTION for Attorney Fees, <u>188</u> Supplemental MOTION for Attorney Fees filed by TRUE THE VOTE, INC. A written order will be issued from Chambers. (Court Reporter Cathryn Jones) (hs) (Entered: 10/22/2020)
10/22/2020	<u>189</u>	SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by TRUE THE VOTE, INC. (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Motion to Quash Attorney's Lien, # <u>2</u> Memorandum in Support Memo in Support of Motion to Quash Attorney's Lien, # <u>3</u> Exhibit Governing Agreement, # <u>4</u> Exhibit Termination Letter, # <u>5</u> Exhibit PILF Agreement, # <u>6</u> Exhibit Foley Agreement, # <u>7</u> Exhibit BLF Agreement)(Bopp, James) (Entered: 10/22/2020)
10/23/2020		MINUTE ORDER. Upon consideration of the <u>189</u> Plaintiff's Motion for Leave to File Documents Under Seal, and for good cause shown, it is hereby ORDERED that this motion is GRANTED. It is further ORDERED that the Plaintiff's Motion to Quash Attorney's Lien and its accompanying documents, ECF Nos. 189-1, 189-2, 189-3, 189-4, 189-5, 189-6, and 189-7, are ACCEPTED AS FILED, and the Clerk of the Court shall file them as a separate entry on the docket under seal. Signed by Judge Reggie B. Walton on October 23, 2020. (lcrbw2) (Entered: 10/23/2020)
10/23/2020	<u>190</u>	SEALED MOTION filed by TRUE THE VOTE, INC.. (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibits)(zeg) (Entered: 10/23/2020)
11/02/2020	<u>191</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>190</u> SEALED MOTION filed by TRUE THE VOTE, INC.. (This document is SEALED and only available to authorized persons.) by PUBLIC INTEREST LEGAL FOUNDATION (Attachments: # <u>1</u> Text of Proposed Order)(Phillips, Kaylan) (Entered: 11/02/2020)
11/03/2020	<u>192</u>	Memorandum in opposition to re <u>188</u> Supplemental MOTION for Attorney Fees filed by INTERNAL REVENUE SERVICE, UNITED STATES OF AMERICA. (Sergi, Joseph) (Entered: 11/03/2020)

11/04/2020		MINUTE ORDER. Upon consideration of the plaintiff's former counsel's <u>191</u> Unopposed Motion for Extension of Time to File Response to Motion to Quash, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that, on or before November 13, 2020, the plaintiff's former counsel shall file a response to the plaintiff's motion to quash. Signed by Judge Reggie B. Walton on November 4, 2020. (lcrbw2) (Entered: 11/04/2020)
11/04/2020		Set/Reset Deadlines: Response to motion to quash due by 11/13/2020 (hs) (Entered: 11/04/2020)
11/09/2020	<u>193</u>	Unopposed MOTION for Extension of Time to File Response/Reply as to <u>188</u> Supplemental MOTION for Attorney Fees by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Bopp, James) (Entered: 11/09/2020)
11/09/2020		MINUTE ORDER. Upon consideration of the <u>193</u> Plaintiff's Unopposed Motion for Extension of Time to File Reply in Support of Plaintiff's Fourth Supplemental Application and Motion for Attorneys' Fees, Costs, and Expenses Under the Equal Justice Act, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that, on or before November 27, 2020, the plaintiff shall file its reply in support of the Plaintiff's Fourth Supplemental Application and Motion for Attorneys' Fees, Costs, and Expenses Under the Equal Access to Justice Act. Signed by Judge Reggie B. Walton on November 9, 2020. (lcrbw2) (Entered: 11/09/2020)
11/10/2020		Set/Reset Deadlines: Plaintiff's Reply in support of its motion due by 11/27/2020. (hs) (Entered: 11/10/2020)
11/13/2020	<u>194</u>	SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by PUBLIC INTEREST LEGAL FOUNDATION (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Memorandum in Support of Opposition to Motion to Quash, # <u>3</u> Text of Proposed Order)(Phillips, Kaylan) (Entered: 11/13/2020)
11/17/2020		MINUTE ORDER. Upon consideration of the plaintiff's <u>194</u> Former Attorneys' Motion for Leave to File Sealed Response to Plaintiff's Sealed Motion to Quash, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the plaintiff's Former Attorneys' Motion for Leave to File Sealed Response to Plaintiff's Sealed Motion to Quash and its accompanying documents, ECF Nos. 194-2 and 194-3, are ACCEPTED AS FILED, and the Clerk of the Court shall file them under seal as a separate entry on the docket. It is further ORDERED that, on or before December 11, 2020, the plaintiff shall file proposed redacted versions of the Plaintiff's Motion to Quash PILF's and Foley's Attorney's Charging Lien, ECF No. 190, and proposed redacted versions of the supporting exhibits, ECF No. 190-2, on the public docket. It is further ORDERED that, on or before December 11, 2020, the plaintiff's former attorneys shall file proposed redacted versions of the Former Attorneys' Response in Opposition to Plaintiff's Motion to Quash Attorney's Charging Lien, ECF No. 194-2, on the public docket. Signed by Judge Reggie B. Walton on November 17, 2020. (lcrbw2) (Entered: 11/17/2020)
11/17/2020	<u>195</u>	Unopposed MOTION for Extension of Time to File Response/Reply <i>in Support of Motion to Quash Attorney's Lien</i> by TRUE THE VOTE, INC. (Attachments: # <u>1</u> Text of Proposed Order)(Bopp, James) (Entered: 11/17/2020)
11/17/2020	<u>196</u>	SEALED OPPOSITION filed by PUBLIC INTEREST LEGAL FOUNDATION re <u>190</u> SEALED MOTION filed by TRUE THE VOTE, INC. (This document is

		SEALED and only available to authorized persons.) (Attachment: # <u>1</u> Text of Proposed Order) (ztth) (Entered: 11/19/2020)
11/19/2020		MINUTE ORDER. Upon consideration of the <u>195</u> Plaintiff's Unopposed Motion for Extension of Time to File Reply in Support of Plaintiff's Motion to Quash PILF's and Foley's Attorney's Charging Lien, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that, on or before November 30, 2020, the plaintiff shall file its reply in support of the Plaintiffs Motion to Quash PILFs and Foleys Attorneys Charging Lien.. Signed by Judge Reggie B. Walton on November 19, 2020. (lcrbw2) (Entered: 11/19/2020)
11/19/2020		Set/Reset Deadlines: Plaintiff's Reply due by 11/30/2020. (hs) (Entered: 11/19/2020)
11/25/2020	<u>197</u>	REPLY to opposition to motion re <u>188</u> Supplemental MOTION for Attorney Fees filed by TRUE THE VOTE, INC.. (Bopp, James) (Entered: 11/25/2020)
11/30/2020	<u>198</u>	SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by TRUE THE VOTE, INC. (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Memorandum in Support Reply in Support of Motion to Quash)(Bopp, James) Modified on 12/1/2020 (znmw). (Entered: 11/30/2020)
12/08/2020		MINUTE ORDER. Upon consideration of the <u>198</u> Plaintiffs Motion for Leave to File Documents Under Seal, and for good cause shown, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that the Plaintiffs Reply in Support of Plaintiffs Motion to Quash PILFs and Foleys Attorneys Charging Lien and its accompanying documents, ECF Nos. 198-1 and 198-2, are ACCEPTED AS FILED, and the Clerk of the Court shall file them under seal as a separate entry on the docket. It is further ORDERED that, on or before December 23, 2020, the plaintiff shall file proposed redacted versions of its Reply in Support of Plaintiff's Motion to Quash PILF's and Foley's Attorney's Charging Lien and proposed redacted versions of any supporting exhibits on the public docket. Signed by Judge Reggie B. Walton on December 8, 2020. (lcrbw2) (Entered: 12/08/2020)
12/08/2020	<u>199</u>	SEALED REPLY TO OPPOSITION filed by TRUE THE VOTE, INC. re <u>190</u> SEALED MOTION filed by TRUE THE VOTE, INC.. (This document is SEALED and only available to authorized persons.) (This document is SEALED and only available to authorized persons.)(zeg) (Entered: 12/10/2020)
12/11/2020	<u>200</u>	NOTICE of Compliance with Court's Order by TRUE THE VOTE, INC. re <u>190</u> SEALED MOTION filed by TRUE THE VOTE, INC.. (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit)(Bopp, James) (Entered: 12/11/2020)
12/11/2020	<u>201</u>	NOTICE of Compliance with Court Order by PUBLIC INTEREST LEGAL FOUNDATION (Attachments: # <u>1</u> Exhibit)(Phillips, Kaylan) (Entered: 12/11/2020)
01/28/2021	<u>202</u>	MOTION for Leave to File Supplemental Brief by PUBLIC INTEREST LEGAL FOUNDATION. (Attachments: # <u>1</u> Exhibit Eshelman v. True the Vote Amended Complaint, # <u>2</u> Text of Proposed Order)(Phillips, Kaylan) (Entered: 01/28/2021)
02/01/2021	<u>203</u>	Memorandum in opposition to re <u>202</u> MOTION for Leave to File Supplemental Brief filed by TRUE THE VOTE, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Bopp, James) (Entered: 02/01/2021)

02/01/2021	<u>204</u>	NOTICE of Case Related to Supplemental Briefing Request Dismissed by TRUE THE VOTE, INC. re <u>203</u> Memorandum in Opposition (Attachments: # <u>1</u> Exhibit Eshelman Notice of Voluntary Dismissal)(Bopp, James) (Entered: 02/01/2021)
02/02/2021	<u>205</u>	REPLY to opposition to motion re <u>202</u> MOTION for Leave to File <i>Supplemental Brief</i> filed by PUBLIC INTEREST LEGAL FOUNDATION. (Attachments: # <u>1</u> Exhibit Eshelman v. True the Vote)(Phillips, Kaylan) (Entered: 02/02/2021)
02/02/2021	<u>206</u>	NOTICE of State Court Case and Incorporation of Opposition by TRUE THE VOTE, INC. re <u>203</u> Memorandum in Opposition (Bopp, James) (Entered: 02/02/2021)
05/12/2021	<u>207</u>	NOTICE by PUBLIC INTEREST LEGAL FOUNDATION re <u>202</u> MOTION for Leave to File <i>Supplemental Brief</i> (Phillips, Kaylan) (Entered: 05/12/2021)
10/06/2021	<u>208</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to UNITED STATES OF AMERICA. Attorney Steven Marcus Dean terminated. (Dean, Steven) (Entered: 10/06/2021)
10/07/2021		<p>NOTICE of Provisional/Government Not Certified Status re <u>208</u> NOTICE OF WITHDRAWAL OF APPEARANCE as to UNITED STATES OF AMERICA. Attorney Steven Marcus Dean terminated. (Dean, Steven).</p> <p>Your attorney renewal/government certification has not been received. As a result, your membership with the U.S. District & Bankruptcy Courts for the District of Columbia is not in good standing, and you are not permitted to file. Pursuant to Local Civil Rule 83.9, you must immediately correct your membership status by following the appropriate instructions on this page of our website: https://www.dcd.uscourts.gov/attorney-admissions-and-renewal-information.</p> <p>Please be advised that the presiding judge in this case has been notified that you are currently not in good standing to file in this court. Renewal Due by 10/14/2021. (znmw) (Entered: 10/07/2021)</p>
10/18/2022	<u>209</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by TRUE THE VOTE, INC. (Bopp, James) (Entered: 10/18/2022)
01/13/2023	<u>210</u>	NOTICE of Change of Address by Kaylan L. Phillips (Phillips, Kaylan) (Entered: 01/13/2023)
01/17/2023	<u>211</u>	NOTICE of Appearance by Alden Lewis Atkins on behalf of THE CENTER FOR INVESTIGATIVE REPORTING, INC. (Atkins, Alden) (Entered: 01/17/2023)
01/17/2023	<u>212</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Charles Lincoln Wesley, Filing fee \$ 100, receipt number ADCDC-9791925. Fee Status: Fee Paid. by THE CENTER FOR INVESTIGATIVE REPORTING, INC.. (Attachments: # <u>1</u> Declaration of Charles Lincoln Wesley, # <u>2</u> Wesley Certificate of Good Standing, # <u>3</u> Text of Proposed Order)(Atkins, Alden) (Entered: 01/17/2023)
01/17/2023	<u>213</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Peter B. Steffensen, Filing fee \$ 100, receipt number ADCDC-9791964. Fee Status: Fee Paid. by THE CENTER FOR INVESTIGATIVE REPORTING, INC.. (Attachments: # <u>1</u> Declaration of Peter B. Steffensen, # <u>2</u> Steffensen Certificate of Good Standing, # <u>3</u> Text of Proposed Order)(Atkins, Alden) (Entered: 01/17/2023)
01/17/2023	<u>214</u>	MOTION to Intervene <i>AND FOR ACCESS TO COURT RECORDS</i> by THE CENTER FOR INVESTIGATIVE REPORTING, INC.. (Attachments: # <u>1</u> Text of Proposed

		Order, # <u>2</u> LCvR 7.1 Certificate of Corporate Disclosure)(Atkins, Alden) (Entered: 01/17/2023)
01/18/2023		<p>RESOLVED...NOTICE of Provisional/Government Not Certified Status re <u>210</u> NOTICE of Change of Address by Kaylan L. Phillips (Phillips, Kaylan).</p> <p>Your attorney renewal has not been received. As a result, your membership with the U.S. District & Bankruptcy Courts for the District of Columbia is not in good standing, and you are not permitted to file. Pursuant to Local Civil Rule 83.9, you must immediately correct your membership status by following the appropriate instructions on this page of our website: https://www.dcd.uscourts.gov/attorney-renewal.</p> <p>Please be advised that the presiding judge in this case has been notified that you are currently not in good standing to file in this court. Renewal Due by 1/25/2023. (zbaj) Modified on 1/18/2023 (zbaj). (Entered: 01/18/2023)</p>
01/18/2023	<u>215</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- D. Victoria Baranetsky, Filing fee \$ 100, receipt number ADCDC-9795306. Fee Status: Fee Paid. by THE CENTER FOR INVESTIGATIVE REPORTING, INC.. (Attachments: # <u>1</u> Declaration of D. Victoria Baranetsky, # <u>2</u> Baranetsky Certificate of Good Standing, # <u>3</u> Text of Proposed Order)(Atkins, Alden) (Entered: 01/18/2023)
01/18/2023		<p>RESOLVED...NOTICE of Provisional/Government Not Certified Status re <u>215</u> MOTION for Leave to Appear Pro Hac Vice :Attorney Name- D. Victoria Baranetsky, Filing fee \$ 100, receipt number ADCDC-9795306. Fee Status: Fee Paid. by THE CENTER FOR INVESTIGATIVE REPORTING, INC.. (Attachments: # <u>1</u> Declaration of D. Victoria Baranetsky, # <u>2</u> Baranetsky Certificate of Good Standing, # <u>3</u> Text of Proposed Order)(Atkins, Alden).</p> <p>Your attorney renewal/government certification has not been received. As a result, your membership with the U.S. District & Bankruptcy Courts for the District of Columbia is not in good standing, and you are not permitted to file. Pursuant to Local Civil Rule 83.9, you must immediately correct your membership status by following the appropriate instructions on this page of our website: https://www.dcd.uscourts.gov/attorney-renewal.</p> <p>Please be advised that the presiding judge in this case has been notified that you are currently not in good standing to file in this court. Renewal Due by 1/25/2023. (zbaj) Modified on 1/24/2023 (zbaj). (Entered: 01/18/2023)</p>
03/21/2023	<u>216</u>	NOTICE of Attorney's Charging Lien by The Bopp Law Firm, PC (Bopp, James) (Entered: 03/21/2023)
03/21/2023	<u>217</u>	NOTICE of Appearance by James Bopp, Jr on behalf of The Bopp Law Firm, PC (Bopp, James) (Main Document 217 replaced on 3/24/2023) (ztth). (Entered: 03/21/2023)
03/22/2023	<u>218</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to TRUE THE VOTE, INC.. Attorney James Bopp, Jr terminated. (Bopp, James) (Entered: 03/22/2023)
03/22/2023	<u>219</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to TRUE THE VOTE, INC.. Attorney Courtney Turner Milbank terminated. (Milbank, Courtney) (Entered: 03/22/2023)

03/22/2023	<u>220</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to TRUE THE VOTE, INC.. Attorney Melena S. Siebert terminated. (Siebert, Melena) (Entered: 03/22/2023)
03/22/2023	<u>221</u>	NOTICE of Appearance by Charles Lincoln Wesley on behalf of CENTER FOR INVESTIGATIVE REPORTING, INC. (Wesley, Charles) (Entered: 03/22/2023)
03/22/2023	<u>222</u>	NOTICE of <i>Conceded Motion</i> by CENTER FOR INVESTIGATIVE REPORTING, INC. re <u>214</u> Motion to Intervene (Atkins, Alden) (Entered: 03/22/2023)
03/23/2023	<u>223</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to TRUE THE VOTE, INC.. Attorney Jeffrey P. Gallant terminated. (Gallant, Jeffrey) (Entered: 03/23/2023)
03/27/2023	<u>224</u>	NOTICE of Appearance by James Bopp, Jr on behalf of The Bopp Law Firm, PC (Bopp, James) (Main Document 224 replaced on 3/28/2023) (ztth). (Entered: 03/27/2023)
03/27/2023	<u>225</u>	ENTERED IN ERROR..... MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Melena S. Siebert, Filing fee \$ 100, receipt number ADCDC-9954480. Fee Status: Fee Paid. by The Bopp Law Firm, PC. (Attachments: # <u>1</u> Text of Proposed Order Siebert PHV Admission)(Siebert, Melena); Modified on 4/3/2023 (ztth). (Entered: 03/27/2023)
04/03/2023		NOTICE OF ERROR regarding <u>225</u> MOTION for Leave to Appear Pro Hac Vice :Attorney Name – Melena S. Siebert, Filing fee \$ 100, receipt number ADCDC-9954480. Fee Status: Fee Paid. The following error(s) need correction: Invalid attorney signature. Pleading must be signed by an attorney admitted to the Bar for this Court. Please refile. (ztth) (Entered: 04/03/2023)
04/03/2023	<u>226</u>	Amended MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Melena S. Siebert, <i>Receipt No. ADCDC-9954480</i> Fee Status: No Fee Paid. by The Bopp Law Firm, PC. (Bopp, James) (Entered: 04/03/2023)
04/20/2023	<u>227</u>	ORDER. See attached Order for details. Signed by Judge Reggie B. Walton on April 20, 2023. (lcrbw3) (Entered: 04/20/2023)
04/23/2023		MINUTE ORDER. In light of the <u>221</u> Appearance of Counsel, it is hereby ORDERED that movant The Center for Investigative Reporting, Inc.'s <u>212</u> Motion for Admission Pro Hac Vice is DENIED AS MOOT. Signed by Judge Reggie B. Walton on April 23, 2023. (lcrbw2) Modified on 4/24/2023 (zalh). (Entered: 04/23/2023)
04/23/2023		MINUTE ORDER. The Court having considered movant The Center for Investigative Reporting, Inc.'s <u>213</u> Motion for Admission Pro Hac Vice, and it appearing to the Court that the attorney referenced therein meets the requirements for pro hac vice admission under this Court's rules, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that Peter B. Steffensen, SMU Dedman School of Law First Amendment Clinic, 3315 Daniel Avenue, Dallas, Texas 75275, is ADMITTED to practice before the Court pro hac vice in this case. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a) <u>Click for instructions</u> . Signed by Judge Reggie B. Walton on April 23, 2023. (lcrbw2) (Entered: 04/23/2023)
04/23/2023		MINUTE ORDER. The Court having considered movant The Center for Investigative Reporting, Inc.'s <u>215</u> Motion for Admission Pro Hac Vice, and it appearing to the Court that the attorney referenced therein meets the requirements for pro hac vice admission under this Court's rules, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that D. Victoria Baranetsky, The Center for

		Investigative Reporting, Inc., 1400 65th St., Suite 200, Emeryville, CA 94608, is ADMITTED to practice before the Court pro hac vice in this case. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a) Click for instructions . Signed by Judge Reggie B. Walton on April 23, 2023. (lcrbw2) (Entered: 04/23/2023)
04/23/2023		MINUTE ORDER. The Court having considered movant The Bopp Law Firm, PC's 226 Motion For Melena S. Siebert to Appear Pro Hac Vice, and it appearing to the Court that the attorney referenced therein meets the requirements for pro hac vice admission under this Court's rules, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that Melena S. Siebert, The Bopp Law Firm, PC, 1 South Sixth Street, Terre Haute, Indiana 47807, is ADMITTED to practice before the Court pro hac vice in this case. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a) Click for instructions . Signed by Judge Reggie B. Walton on April 23, 2023. (lcrbw2) (Entered: 04/23/2023)
04/24/2023	228	NOTICE of Appearance by Melena S. Siebert on behalf of BOPP LAW FIRM, PC (Siebert, Melena) (Entered: 04/24/2023)
06/16/2023	229	First MOTION to Enforce <i>The Bopp Law Firm, PC's Attorney's Charging Lien</i> by BOPP LAW FIRM, PC. (Attachments: # 1 Text of Proposed Order Proposed Order)(Bopp, James) (Entered: 06/16/2023)
06/21/2023	230	RESPONSE re 229 First MOTION to Enforce <i>The Bopp Law Firm, PC's Attorney's Charging Lien</i> filed by PUBLIC INTEREST LEGAL FOUNDATION, INC.. (Phillips, Kaylan) (Entered: 06/21/2023)
06/21/2023	231	NOTICE of Appearance by Peter Steffensen on behalf of CENTER FOR INVESTIGATIVE REPORTING, INC. (Steffensen, Peter) (Entered: 06/21/2023)
06/21/2023	232	NOTICE of Appearance by Diana Victoria Baranetsky on behalf of CENTER FOR INVESTIGATIVE REPORTING, INC. (Baranetsky, Diana) (Main Document 232 replaced on 6/23/2023) (zth). (Entered: 06/21/2023)
06/21/2023	233	ORDER. In accordance with the attached Order, it is hereby ORDERED that the status conference currently scheduled for June 23, 2023, is CONTINUED to July 5, 2023, at 3:00 p.m. The parties and the plaintiff's former attorneys—the Public Interest Legal Foundation, Foley and Lardner LLP, and the Center for Constitutional Jurisprudence (the "Former Attorneys")—shall appear before the Court, via teleconference, by calling 1-877-873-8017 and entering the Court's access code (8583213) followed by the pound key (#). The parties shall be prepared to discuss (1) the final amount of the attorneys' fees the plaintiff is entitled to be awarded; and (2) the date by which the defendants shall process this payment. Additionally, the parties and the Former Attorneys shall be prepared to address the 190 Plaintiff's Motion to Quash PILF's and Foley's Attorney's Charging Lien. It is further ORDERED that, on July 25, 2023, at 2:00 p.m., the parties, the Former Attorneys, and movant The Center for Investigative Reporting, Inc., shall appear before the Court for a motion hearing on the movant's 214 Motion for Leave to Intervene and for Access to Court Records. The parties, the Former Attorneys, and the movant shall appear before the Court, via teleconference, by calling 1-877-873-8017 and entering the Court's access code (8583213) followed by the pound key (#). Signed by Judge Reggie B. Walton on June 21, 2023. (lcrbw2) (Entered: 06/21/2023)
06/26/2023	234	MOTION for Hearing of Motion to Enforce Attorney's Lien by BOPP LAW FIRM, PC re 229 Motion to Enforce, 233 Order, Set Hearings, Terminate Hearings, (Bopp,

		James); Modified text and docketing event on 6/27/2023 (ztth). (Entered: 06/26/2023)
06/28/2023	<u>235</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Noel H. Johnson, Filing fee \$ 100, receipt number ADCDC–10170130. Fee Status: Fee Paid. by PUBLIC INTEREST LEGAL FOUNDATION, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Phillips, Kaylan) (Entered: 06/28/2023)
06/28/2023	<u>236</u>	REPLY to opposition to motion re <u>229</u> First MOTION to Enforce <i>The Bopp Law Firm, PC's Attorney's Charging Lien</i> filed by BOPP LAW FIRM, PC. (Bopp, James) (Entered: 06/28/2023)
06/30/2023		MINUTE ORDER. The Court having considered the movant's <u>235</u> Motion for Admission Pro Hac Vice of Noel H. Johnson, and it appearing to the Court that the attorney referenced therein meets the requirements for pro hac vice admission under this Court's rules, it is hereby ORDERED that the motion is GRANTED. It is further ORDERED that Noel H. Johnson, Public Interest Legal Foundation, 107 S. West Street, Suite 700, Alexandria, VA 22314, is ADMITTED to practice before the Court pro hac vice in this case. Counsel should register for e-filing via PACER and file a notice of appearance pursuant to LCvR 83.6(a) Click for instructions . Signed by Judge Reggie B. Walton on June 30, 2023. (lcrbw2) (Entered: 06/30/2023)
07/03/2023	<u>237</u>	NOTICE of Appearance by Noel H. Johnson on behalf of PUBLIC INTEREST LEGAL FOUNDATION, INC. (Johnson, Noel) (Entered: 07/03/2023)
07/03/2023	<u>238</u>	NOTICE of Appearance by Michael J. Lockerby on behalf of FOLEY & LARDNER LLP (Lockerby, Michael) (Entered: 07/03/2023)
07/03/2023	<u>239</u>	Proposed MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Wesley Todd Burns, Filing fee \$ 100, receipt number ADCDC–10179351. Fee Status: Fee Paid. by TRUE THE VOTE, INC.. (Munoz, George) (Entered: 07/03/2023)
07/03/2023	<u>240</u>	Proposed MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Michael John Wynne, Filing fee \$ 100, receipt number ADCDC–10179410. Fee Status: Fee Paid. by TRUE THE VOTE, INC.. (Munoz, George) (Entered: 07/03/2023)
07/03/2023	<u>241</u>	Proposed MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Cameron Powell, Filing fee \$ 100, receipt number ADCDC–10179435. Fee Status: Fee Paid. by TRUE THE VOTE, INC.. (Munoz, George) (Entered: 07/03/2023)
07/03/2023	<u>242</u>	ORDER. In accordance with the attached Order, it is hereby ORDERED that the Bopp Law Firm, PC's <u>234</u> Request to Set Hearing is GRANTED IN PART AND DENIED IN PART. The motion is GRANTED to the extent that it seeks a hearing on the Bopp Law Firm, PC's <u>229</u> Motion for Enforcement of Attorney's Charging Lien, at which the Bopp Law Firm, PC's ("BLF") counsel is permitted to appear. The motion is DENIED in all other respects. It is further ORDERED that, on August 14, 2023, at 11:30 a.m., the parties and the BLF shall appear before the Court for a motion hearing on the Bopp Law Firm, PC's <u>229</u> Motion for Enforcement of Attorney's Charging Lien. The parties and the BLF shall appear before the Court, via teleconference, by calling 1–877–873–8017 and entering the Court's access code (8583213) followed by the pound key (#). Signed by Judge Reggie B. Walton on July 3, 2023. (lcrbw2) (Entered: 07/03/2023)
07/05/2023		Minute Entry for telephonic proceedings held before Judge Reggie B. Walton: Motion Hearing held on 7/5/2023 re <u>190</u> SEALED Plaintiff's MOTION to Quash PILF's and Foley's Attorney's Charging Lien. Oral arguments heard. A written order will be

		issued forthwith via Chambers. (Court Reporter: Bryan Wayne) (zalh) (Entered: 07/05/2023)
07/07/2023		NOTICE OF ERROR regarding <u>239</u> Proposed MOTION for Leave to Appear Pro Hac Vice: Attorney Name— Wesley Todd Burns, , <u>241</u> Proposed MOTION for Leave to Appear Pro Hac Vice: Attorney Name— Cameron Powell, <u>240</u> Proposed MOTION for Leave to Appear Pro Hac Vice: Attorney Name— Michael John Wynne. The following error(s) need correction: Pro Hac Vice motion must be accompanied by a Certificate of Good Standing issued within the last 30 days (LCvR 83.2(c)(2)). Please file certificate as an Errata. Declaration omitted from filing; Please refile using the event Declaration. (ztth) (Entered: 07/07/2023)
07/12/2023	<u>243</u>	ERRATA by TRUE THE VOTE, INC. re <u>239</u> Motion for Leave to Appear Pro Hac Vice, <u>241</u> Motion for Leave to Appear Pro Hac Vice, <u>240</u> Motion for Leave to Appear Pro Hac Vice. (Attachments: # <u>1</u> Declaration Certificate of Good Standing per DKT 239, # <u>2</u> Declaration Certificate of Good Standing per DKT 240, # <u>3</u> Declaration Certificate of Good Standing per DKT 241)(Munoz, George) (Entered: 07/12/2023)
07/16/2023	<u>244</u>	<p>TRANSCRIPT OF MOTION HEARING before Judge Reggie B. Walton held on July 5, 2023; Page Numbers: 1–27. Date of Issuance: 7/16/2023. Court Reporter: Bryan A. Wayne, (202) 354–3186. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 8/6/2023. Redacted Transcript Deadline set for 8/16/2023. Release of Transcript Restriction set for 10/14/2023.(Wayne, Bryan) (Entered: 07/16/2023)</p>
07/24/2023		NOTICE of Hearing: The Motion Hearing set for 7/25/2023 at 2:00 PM via teleconference before Judge Walton is hereby VACATED. (zalh) (Entered: 07/24/2023)
08/04/2023		NOTICE of Hearing: The Motion Hearing set for 8/14/2023 at 11:30 AM via teleconference before Judge Walton is hereby VACATED. (zalh) (Entered: 08/04/2023)
08/14/2023		MINUTE ORDER. Upon consideration of the plaintiff's <u>239</u> Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Receive Notices of Electronic Filing, the plaintiff's <u>240</u> Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Receive Notices of Electronic Filing, the plaintiff's <u>241</u> Motion to Appear Pro Hac Vice, Consent to Designation, and Request to Receive Notices of Electronic Filing, and the plaintiff's <u>243</u> Errata Declaration Filing of Certificate of Good Standing as Part of Pro Hac Vice Motions, it is hereby ORDERED that the

		<p>motions are DENIED WITHOUT PREJUDICE for failure to satisfy the requirements of Local Civil Rule 83.2(c). It is further ORDERED that the plaintiff shall REFILE its motions in accordance with Rule 83.2(c). Signed by Judge Reggie B. Walton on August 14, 2023. (lcrbw2) (Entered: 08/14/2023)</p>
08/15/2023	<u>245</u>	<p>ORDER. In accordance with the attached Order, it is hereby ORDERED that the plaintiff is awarded attorneys' fees under the Equal Access to Justice Act in the amount of \$788,539.30. It is further ORDERED that, within fourteen days of the date of this Order, the defendant shall submit all necessary paperwork to process the payment for the attorneys' fee award. However, the fourteen-day period shall not begin to run until after any appeal has been exhausted or the time for filing an appeal has expired. It is further ORDERED that the defendants shall deposit the attorneys' fee award amount of \$788,539.30 into the registry of the Clerk of the Court, where it will be held pending the Court's resolution of the attorneys' charging lien disputes in this case. It is further ORDERED that the Clerk of the Court is directed to accept the deposit of \$788,539.30 from the defendants and deposit these funds into an interest-bearing account under the terms and conditions set forth in Federal Rule of Civil Procedure 67. It is further ORDERED that the <u>190</u> Plaintiff's Motion to Quash PILF's and Foley's Attorney's Charging Lien is DENIED. It is further ORDERED that, on or before September 11, 2023, the Former Attorneys and the plaintiff's current attorney, the Bopp Law Firm, PC (the "BLF"), shall file supplemental briefing addressing the following three issues: (1) the amount of attorneys' fees that the attorneys claim are subject to their respective charging liens; (2) the priority of the distribution of funds in the event of competing attorneys' charging liens in the District of Columbia; and (3) the method by which payment should be distributed to the attorneys who the Court concludes have a valid charging lien on the attorneys' fees awarded by the Court in this case. It is further ORDERED that, on October 18, 2023, at 10:00 a.m., the parties, the Former Attorneys, and the BLF shall appear before the Court for a hearing to address the Former Attorneys' charging lien and the Bopp Law Firm, PC's <u>229</u> Motion for Enforcement of Attorney's Charging Lien. The parties, the Former Attorneys, and the BLF shall appear before the Court, via teleconference, by calling 1-877-873-8017 and entering the Court's access code (8583213) followed by the pound key (#). It is further ORDERED that the hearing on The Center for Investigative Reporting, Inc.'s <u>214</u> Motion for Leave to Intervene and for Access to Court Records, previously scheduled for July 25, 2023, is VACATED nunc pro tunc. It is further ORDERED that the hearing on the Bopp Law Firm, PC's <u>229</u> Motion for Enforcement of Attorney's Charging Lien, previously scheduled for August 14, 2023, is VACATED nunc pro tunc. Signed by Judge Reggie B. Walton on August 15, 2023. (lcrbw2) (Entered: 08/15/2023)</p>
09/11/2023	<u>246</u>	<p>RESPONSE TO ORDER OF THE COURT re <u>245</u> Order on Sealed Motion,,,,,,,,,, Set/Reset Deadlines,,,,,,,,,, Set/Reset Hearings,,,,,,,,, filed by FOLEY & LARDNER LLP, PUBLIC INTEREST LEGAL FOUNDATION, INC.. (Attachments: # <u>1</u> Exhibit A – Bopp Law Firm Fee Calculation)(Lockerby, Michael) (Entered: 09/11/2023)</p>
09/11/2023	<u>247</u>	<p>RESPONSE TO ORDER OF THE COURT re <u>245</u> Order on Sealed Motion,,,,,,,,,, Set/Reset Deadlines,,,,,,,,,, Set/Reset Hearings,,,,,,,,, filed by BOPP LAW FIRM, PC. (Bopp, James) (Entered: 09/11/2023)</p>
09/12/2023	<u>248</u>	<p>ERRATA <i>Correcting BLF Notice of Attorney's Charging Lien to Attach Invoices</i> by BOPP LAW FIRM, PC re <u>216</u> Notice (Other). (Attachments: # <u>1</u> Exhibit Errata Ex. 1, 2017-0316, # <u>2</u> Exhibit Errata Ex. 2, 2017-0418, # <u>3</u> Exhibit Errata Ex. 3, 2017-0518, # <u>4</u> Exhibit Errata Ex. 4, 2017-0623, # <u>5</u> Exhibit Errata Ex. 5,</p>

		2017-0721, # <u>6</u> Exhibit Errata Ex. 6, 2017-0821, # <u>7</u> Exhibit Errata Ex. 7, 2017-0925, # <u>8</u> Exhibit Errata Ex. 8, 2017-1026, # <u>9</u> Exhibit Errata Ex. 9, 2017-1122, # <u>10</u> Exhibit Errata Ex. 10, 2017-1221, # <u>11</u> Exhibit Errata Ex. 11, 2018-0119, # <u>12</u> Exhibit Errata Ex. 12, 2018-0222, # <u>13</u> Exhibit Errata Ex. 13, 2018-0328, # <u>14</u> Exhibit Errata Ex. 14, 2018-0502, # <u>15</u> Exhibit Errata Ex. 15, 2018-0522, # <u>16</u> Exhibit Errata Ex. 16, 2018-0621, # <u>17</u> Exhibit Errata Ex. 17, 2018-0920, # <u>18</u> Exhibit Errata Ex. 18, 2019-0227, # <u>19</u> Exhibit Errata Ex. 19, 2019-0322, # <u>20</u> Exhibit Errata Ex. 20, 2019-0501, # <u>21</u> Exhibit Errata Ex. 21, 2023-0208)(Bopp, James) (Entered: 09/12/2023)
09/25/2023	<u>249</u>	MOTION for Leave to File <i>The Former Attorneys' Response to the Bopp Law Firm's Supplemental Brief</i> by FOLEY & LARDNER LLP. (Attachments: # <u>1</u> Text of Proposed Order Granting the Former Attorneys' Leave to File Response to the Bopp Law Firm's Supplemental Brief, # <u>2</u> Supplement The Former Attorneys' Response to the Bopp Law Firm's Supplemental Brief)(Lockerby, Michael) (Entered: 09/25/2023)
10/09/2023	<u>250</u>	RESPONSE re <u>249</u> MOTION for Leave to File <i>The Former Attorneys' Response to the Bopp Law Firm's Supplemental Brief</i> filed by BOPP LAW FIRM, PC. (Bopp, James) Modified on 10/10/2023 to correct date filed (zjm). (Entered: 10/10/2023)
10/09/2023	<u>251</u>	MOTION for Leave to File <i>Reply to Former Attorneys' Supplemental Response</i> by BOPP LAW FIRM, PC. (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Supplement Reply to Response)(Bopp, James) Modified on 10/10/2023 to correct date filed (zjm). (Entered: 10/10/2023)
10/11/2023	<u>252</u>	NOTICE OF APPEAL TO DC CIRCUIT COURT as to <u>245</u> Order on Sealed Motion,,,,,,,,,, Set/Reset Deadlines,,,,,,,,,, Set/Reset Hearings,,,,,,,,,, by UNITED STATES OF AMERICA. Fee Status: No Fee Paid. Parties have been notified. (Conner, Laura) (Entered: 10/11/2023)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

TRUE THE VOTE, INC.)
Plaintiff,)
v.) Civil Action No. 1:13-cv-00734-RBW
INTERNAL REVENUE SERVICE, *et al.*,)
Defendants.)

)

DEFENDANTS' NOTICE OF APPEAL

Defendants give notice that they appeal to the United States Court of Appeals for the D.C. Circuit from the Order entered August 15, 2023 (Doc. 245).

DATED: October 11, 2023

Respectfully submitted,

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Deputy Assistant Attorney General
Tax Division

s/Laura M. Conner
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Of Counsel:

MATTHEW M. GRAVES
United States Attorney

ATTORNEYS FOR THE UNITED STATES

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

TRUE THE VOTE, INC.,)
Plaintiff,)
v.)
INTERNAL REVENUE SERVICE, et al.,)
Defendants.)

)

) Civil Action No. 13-734 (RBW)

ORDER

On July 5, 2023, the Court held a motion hearing in this case to address (1) the final amount of the attorneys' fees the plaintiff is entitled to be awarded; (2) the date by which the defendants shall process this payment; and (3) the Plaintiff's Motion to Quash PILF's and Foley's Attorney's Charging Lien, ECF No. 190. See Minute ("Min.") Entry (July 5, 2023). At the July 5, 2023 hearing, the Court first awarded attorneys' fees to the plaintiff in the amount of \$788,539.30, consistent with the Court's April 20, 2023 Order, see Transcript of Motion Hearing (July 5, 2023) ("Tr.") at 4:8–23, ECF No. 244, which clarified "that only the entries highlighted in yellow by the defendants in their compliance opposition to which the plaintiff conceded are excluded from the attorneys' fees calculation[.]" Order at 6 (Apr. 20, 2023), ECF No. 227. Next, the Court concluded that the date for processing the attorneys' fees award is fourteen days after the Court's final judgment. See Tr. at 4:24–5:2. However, the Court indicated that the fourteen days shall not begin to run until after any appeal of the judgment has been exhausted or the time for filing an appeal has expired. See id. at 5:2–3. Finally, the Court concluded that the Public Interest Legal Foundation, Foley and Lardner LLP, and the Center for Constitutional Jurisprudence (the "Former Attorneys") have a valid charging lien on the attorneys' fees

judgment and, thus, denied the Plaintiff's Motion to Quash PILF's and Foley's Attorney's Charging Lien ("Pl.'s Mot. to Quash"), ECF No. 190.¹ See id. at 19:4–11.

Upon review of the July 5, 2023 motion hearing transcript, the Court has determined that further explanation of its conclusion regarding the Former Attorneys' charging lien is necessary to clarify the Court's rationale for reaching its conclusion. As a preliminary matter, the plaintiff and the Former Attorneys dispute which contract is the operative agreement in this case, see Memorandum of Points and Authorities in Support of Plaintiff's Motion to Quash PILF's and Foley's Attorney's Charging Lien ("Pl.'s Mem.") at 3–4, ECF No. 190-1 (arguing that the agreement executed in December 2017 supersedes the prior agreements executed in 2013); Former Attorneys' Response in Opposition to Plaintiff's Motion to Quash Attorney's Charging Lien ("Former Attorneys' Opp'n") at 2 n.1, ECF No. 196 (stating that the "Former Attorneys do not concede that the [agreement executed in] December 2017 [] supersedes the [agreements executed in] 2013"). Additionally, the plaintiff and the Former Attorneys dispute whether the Former Attorneys have a valid charging lien. See generally Pl.'s Mot. to Quash; Former Attorneys' Opp'n. Accordingly, the Court will first evaluate which of the agreements—the 2013 Agreements, see Pl.'s Mot. to Quash, Exhibit ("Ex.") C (Legal Services Agreement) at 7–12, ECF No. 190-2; id., Ex. D (Engagement Letter Agreement for Pro Bono Legal Services) at 14–19, ECF No. 190-2, or the December 2017 Agreement, see id., Ex. A (Agreement "December 2017 Agreement") at 1–3, ECF No. 190-2—is the operative agreement in this case, before turning to the question of whether the operative agreement creates a valid charging lien.

¹ The Court also briefly addressed the Center for Investigative Reporting, Inc.'s Motion for Leave to Intervene and for Access to Court Records, ECF No. 214. See id. at 23:7–25:5. As the Court indicated during the July 5, 2023 hearing, the Court will issue an appropriate order resolving this motion. See id. at 24:21–25:1. Because such an order is forthcoming, the Court will vacate, nunc pro tunc, the motion hearing that was scheduled for July 25, 2023.

“A completely integrated agreement is one adopted by the parties as a complete and exclusive statement of the terms of the agreement.” Bonfire, LLC v. Zacharia, 251 F. Supp. 3d 47, 52 (D.D.C. 2017) (internal quotation marks omitted). “When parties to a contract have executed a completely integrated written agreement, it supersedes all other understandings and agreements with respect to the subject matter of the agreement between the parties . . . and is viewed as the sole expression of the parties’ intent.” Id. at 52–53 (internal quotation marks omitted). “To determine whether a writing in fact embodies the parties’ entire agreement, the Court must examine [the parties’] intent by looking to the written contract, the conduct and language of the parties[,] and the surrounding circumstances.” U.S. ex rel. D.L.I. Inc. v. Allegheny Jefferson Millwork, LLC, 540 F. Supp. 2d 165, 172–73 (D.D.C. 2008) (internal quotation marks omitted). The presence or absence of an integration clause, *i.e.*, a “contract provision[] that generally state[s] that the agreement as written constitutes the entire agreement between the parties and supersedes any prior representations[,]” Jacobson v. Hogfard, 168 F. Supp. 3d 187, 201 (D.D.C. 2016), is a “significant” factor to be considered, Bonfire, 251 F. Supp. 3d at 53. “[U]nder District of Columbia law, [a] completely integrated contract may not be supplemented with prior representations not ultimately included therein, even if those representations are not expressly contradicted by the contract itself.” Jacobson, 168 F. Supp. 3d at 201 (internal quotation marks omitted) (second alteration in original).

Here, paragraphs seven and eight of the December 2017 Agreement contain an integration clause. Specifically, paragraph seven of the December 2017 Agreement states that “th[e] agreement supersedes any and all agreements between the parties which have existed to date,” Pl.’s Mot. to Quash, Ex. A (December 2017 Agreement) ¶ 7 (emphasis added), and paragraph eight provides that “[t]here are no other agreements or representations between the

parties which are made or which survive the execution of this agreement,” id., Ex. A (December 2017 Agreement) ¶ 8 (emphasis added). Although “not conclusive[,]” Bonfire, 251 F. Supp. 3d at 53, “the presence of an integration clause weighs heavily in favor of a complete integration[,]” U.S. ex rel. D.L.I. Inc., 540 F. Supp. 2d at 173. Furthermore, the language of the December 2017 Agreement unambiguously states that the agreement “supersedes any and all agreements between the parties which have existed to date,” Pl.’s Mot. to Quash, Ex. A (December 2017 Agreement) ¶ 7—which clearly includes the 2013 Agreements—and states that “[t]here are no other agreements or representations between the parties which are made or which survive the execution of this agreement,” id., Ex. A (December 2017 Agreement) ¶ 8. See Rocha v. Brown & Gould, LLP, 101 F. Supp. 3d 52, 81 (D.D.C. 2015) (“[I]f a document is facially unambiguous, its language should be relied upon as providing the best objective manifestation of the parties’ intent.” (internal quotation marks omitted)). Therefore, the Court concludes that the December 2017 Agreement amounts to a completely integrated agreement and that this agreement, rather than the 2013 Agreements, controls the legal obligations between the parties.

Having concluded that the December 2017 Agreement is the operative agreement, the Court now turns to the question of whether this agreement creates a valid charging lien. “[A] ‘charging lien’ arises when an attorney obtains a judgment or decree for a client[] and has been characterized as merely a claim to the equitable interference by the [C]ourt to have that judgment held as security for [the client’s] debt” to his attorney. Wolf v. Sherman, 682 A.2d 194, 197 (D.C. 1996) (internal quotation marks omitted). “In order for a charging lien to attach . . . , ‘it is indispensable that there exist between the client and his attorney an agreement from which the conclusion may reasonably be reached that they contracted with the understanding that the attorney’s charges were to be paid out of the judgment recovered.’” Id. (quoting Elam v.

Monarch Life Ins. Co., 598 A.2d 1167, 1169 (D.C. 1991)) (emphasis in original). “In other words, a lawyer’s lien against a client’s funds . . . requires proof of (1) an agreement between lawyer and client (2) contemplating that the lawyer’s fee will be paid from the client’s judgment.” Peterson v. Islamic Republic of Iran, 724 F. App’x 1, 3 (D.C. Cir. 2018).

Here, the Court can “reasonably [] reach” the conclusion that the plaintiff and the Former Attorneys “contracted with the understanding that the attorney’s charges were to be paid out of the judgment recovered.” Wolf, 682 A.2d at 197. The explicit purpose of the December 2017 Agreement was “the prospective collection of and distribution of expenses and attorney[s’] fees[,]” Pl.’s Mot. to Quash, Ex. A (December 2017 Agreement) at 1, and the agreement acknowledged that the Former Attorneys “ha[ve] significant out of pocket costs related to the [l]itigation, including attorney[s’] fees expended which could and should be recoverable in this matter[,]” id., Ex. A (December 2017 Agreement) ¶ 1. Furthermore, the December 2017 Agreement indicated that the parties to the agreement would “later address the allocations and obligations of the parties relative to the prove up of such attorney[s’] fees to the [C]ourt as well as the distribution of such funds[.]” id., Ex. A (December 2017 Agreement) ¶ 3 (emphasis added), which the Court concludes can reasonably be interpreted to mean that the amounts of attorneys’ fees later to be determined would be paid to the Former Attorneys out of the judgment itself, rather than from some other source of funds. See Elam, 598 A.2d at 1169 (“The test is whether the parties looked to the fund itself for payment[] and did not rely upon the personal responsibility of the owner of the claim of which the fund was the result.” (internal quotation marks omitted)). Based on the clear language of the agreement, see Yankton Sioux Tribe v. Bernhardt, No. 03-cv-1603 (TFH), 2019 WL 3753616, at *3 (D.D.C. Aug. 8, 2019) (“[W]hether or not an attorney’s charging lien has been created depends upon the language and surrounding

circumstances of the employment agreement.” (quoting Elam, 598 A.2d at 1168)), the Court finds that “the conclusion [can] reasonably be reached that [the plaintiff and the Former Attorneys] contracted with the understanding that the attorney[']s['] charges were to be paid out of the judgment recovered[,]” Wolf, 682 A.2d at 197 (emphasis in original). Thus, because there exists “(1) an agreement between lawyer and client (2) contemplating that the lawyer’s fee will be paid from the client’s judgment[,]” Peterson, 724 F. App’x at 3, the Court concludes that the Former Attorneys have a valid charging lien on the attorneys’ fees awarded by the Court in this case.

Therefore, in accordance with the oral rulings issued by the Court at the motion hearing held on July 5, 2023, and as supplemented herein, it is hereby

ORDERED that the plaintiff is awarded attorneys’ fees under the Equal Access to Justice Act in the amount of \$788,539.30. It is further

ORDERED that, within fourteen days of the date of this Order, the defendant shall submit all necessary paperwork to process the payment for the attorneys’ fee award. However, the fourteen-day period shall not begin to run until after any appeal has been exhausted or the time for filing an appeal has expired. It is further

ORDERED that the defendants shall deposit the attorneys’ fee award amount of \$788,539.30 into the registry of the Clerk of the Court, where it will be held pending the Court’s resolution of the attorneys’ charging lien disputes in this case. It is further

ORDERED that the Clerk of the Court is directed to accept the deposit of \$788,539.30 from the defendants and deposit these funds into an interest-bearing account under the terms and conditions set forth in Federal Rule of Civil Procedure 67. It is further

ORDERED that the Plaintiff's Motion to Quash PILF's and Foley's Attorney's Charging Lien, ECF No. 190, is **DENIED**. It is further

ORDERED that, on or before September 11, 2023, the Former Attorneys and the plaintiff's current attorney, the Bopp Law Firm, PC (the "BLF"), shall file supplemental briefing addressing the following three issues: (1) the amount of attorneys' fees that the attorneys claim are subject to their respective charging liens; (2) the priority of the distribution of funds in the event of competing attorneys' charging liens in the District of Columbia; and (3) the method by which payment should be distributed to the attorneys who the Court concludes have a valid charging lien on the attorneys' fees awarded by the Court in this case. It is further

ORDERED that, on October 18, 2023, at 10:00 a.m., the parties, the Former Attorneys, and the BLF shall appear before the Court for a hearing to address the Former Attorneys' charging lien and the Bopp Law Firm, PC's Motion for Enforcement of Attorney's Charging Lien, ECF No. 229. The parties, the Former Attorneys, and the BLF shall appear before the Court, via teleconference, by calling 1-877-873-8017 and entering the Court's access code (8583213) followed by the pound key (#). It is further

ORDERED that the hearing on The Center for Investigative Reporting, Inc.'s Motion for Leave to Intervene and for Access to Court Records, ECF No. 214, previously scheduled for July 25, 2023, is **VACATED nunc pro tunc**. It is further

ORDERED that the hearing on the Bopp Law Firm, PC's Motion for Enforcement of Attorney's Charging Lien, ECF No. 229, previously scheduled for August 14, 2023, is **VACATED nunc pro tunc**.

SO ORDERED this 15th day of August, 2023.

REGGIE B. WALTON
United States District Judge